

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

NATIONAL PRESS PHOTOGRAPHERS
ASSOCIATION, *et al.*,

Plaintiffs,

v.

STEVEN MCCRAW, *et al.*,

Defendants.

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CIVIL ACTION NO.
1:19-cv-00946-RP

PLAINTIFFS’ MOTION FOR ATTORNEYS’ FEES AND COSTS

Plaintiffs respectfully move the Court for an award of reasonable attorneys’ fees and costs, pursuant to the Civil Rights Attorney’s Fees Awards Act, 42 U.S.C. § 1988, Rule 54(d)(1) of Federal Rules of Civil Procedure, and Local Rule CV-54(b)(2). The requested fee and cost award is appropriate because Plaintiffs prevailed on the merits in this case, which was brought to enforce 42 U.S.C. § 1983, serving the purposes of the Act.¹

Argument

Section 1988 provides that in a section 1983 case such as this, “the court, in its discretion, may allow the prevailing party... a reasonable attorney’s fee as part of the costs” 42 U.S.C. § 1988. “Section 1988 was enacted to insure that private citizens have a meaningful opportunity to vindicate their rights protected by the Civil Rights Acts.” *Pennsylvania v. Del. Valley Citizens’ Council for Clean Air*, 478 U.S. 546, 559, 106 S. Ct. 3088, 3095 (1986). On March 28, 2022, this Court granted Plaintiffs’ motion for summary judgment in its entirety; issued an order that each of the statutory provisions challenged by plaintiffs—Tex. Gov’t Code §§ 423.002, 423.003,

¹ Pursuant to Local Rule CV-54(b)(2), Plaintiffs have met and conferred with Defendants for the purpose of resolving all disputed issues relating to attorney’s fees before making this motion. The conference is summarized in the Certificate of Conference at the conclusion of this Motion.

423.0045, 423.0046, and 423.006—violate the First and Fourteenth Amendments and are therefore unconstitutional; enjoined Defendants from enforcing those provisions; and denied Defendants’ Motion for Summary Judgment. *See Nat’l Press Photographers Ass’n v. McCraw*, No. 1:19-CV-946-RP, 2022 U.S. Dist. LEXIS 56475, at *48 (W.D. Tex. Mar. 28, 2022). Plaintiffs therefore are the prevailing party.

I. Calculation of fees based on the lodestar method and the *Johnson* factors

This court, consistent with Fifth Circuit precedent, uses a two-step process to calculate attorneys’ fees. *See, e.g., Amawi v. Pflugerville Indep. Sch. Dist.*, No. 1:18-CV-1091-RP, 2021 U.S. Dist. LEXIS 61661, at *21 (W.D. Tex. Mar. 31, 2021) (citing *Heidtman v. Cnty. of El Paso*, 171 F.3d 1038, 1043 (5th Cir. 1999)). First, the Court determines the lodestar figure by multiplying the number of hours reasonably spent on the case by a reasonable hourly rate for the attorneys in the locality. *Id.* In a case where Section 1988 is implicated, the lodestar method is “the guiding light” of fee shifting jurisprudence and there is “a strong presumption that the lodestar figure—the product of reasonable hours times a reasonable rate—represents a ‘reasonable’ fee.” *Murphy v. Smith*, 138 S. Ct. 784, 789 (2018).

The calculation of the lodestar figure does not end the inquiry, however. *See Pennsylvania v. Del. Valley Citizens' Council for Clean Air*, 478 U.S. 546, 564, 106 S. Ct. 3088, 3098 (1986); *Hoenninger v. Leasing Enters., Ltd.*, No. 21-50301, 2022 U.S. App. LEXIS 3216, at *9 (5th Cir. Feb. 4, 2022); *Amawi v. Pflugerville Indep. Sch. Dist.*, 2021 U.S. Dist. LEXIS 61661, at *22. After calculating the lodestar, this court engages in a second step and will increase or decrease the fee award based on its application of the factors set forth in *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714, 717-19 (5th Cir. 1974),² which are set forth and discussed below.

² *Abrogated on other grounds by Blanchard v. Bergeron*, 489 U.S. 87, 109 S. Ct. 939, 103 L. Ed. 2d 67 (1989). Texas state courts also follow this method of lodestar plus *Johnson* factors in determining attorneys’ fees in state court cases.

A. *Factors supporting the number of hours reasonably expended in this case*

Attached hereto as Exhibit A is a spreadsheet listing individual tasks, times, and fees for each task and attorney or law student for which Plaintiffs seek recovery. The entries on this spreadsheet were taken directly from the timekeeping records of each timekeeper. Exhibit A is arranged chronologically. The same data is also contained in Exhibit H, sorted by timekeeper (with MFIA students grouped together), then chronologically for each timekeeper.

In support of their fee request, Plaintiffs attach declarations of James A. Hemphill (Ex. B, Hemphill hours), David Muraskin (Ex. C, Public Justice hours), Alicia Calzada (Ex. D, Calzada hours), Mickey Osterreicher (Ex. E, Osterreicher hours), and David Schulz (Ex. F, MFIA hours). Each of the attorneys in this case, as well as the Media Freedom and Information Access Clinic (“MFIA”) at Yale Law School, brought specific experience and expertise to this case. Plaintiffs’ counsel maintained contemporaneous time records. While the attorneys’ declarations provide more detail about their experience, a brief description of their qualifications and roles is included here for the Court’s convenience.

This case is believed to be the first of its kind in the nation, in which the constitutionality of a state drone law is challenged as a violation of the First and Fourteenth Amendments. Researching and litigating this case required meticulous effort and analysis. Plaintiffs began work on this case when the NPPA, the public interest law firm Public Justice, and the MFIA Clinic began discussions on the viability of a challenge to Ch. 423. Thereafter, NPPA, Public Justice and MFIA worked together to develop facts and legal theories. NPPA has previously worked successfully with Public Justice to fight “Ag-gag” laws, which are statutes that restrict reporting on environmental and food-safety issues; NPPA regards overbearing drone laws as Ag-gag laws

See Rohrmoos Venture v. UTSW DVA Healthcare, LLP, 578 S.W.3d 469, 490-93 (Tex. 2019) (outlining the lodestar factors in federal courts and their interplay with the *Johnson* factors).

(because drone restrictions often prohibit drone photography of agricultural land and facilities). Likewise, NPPA has worked previously with MFIA on First Amendment issues. NPPA's prior relationship with both organizations—and their experience on similar cases challenging laws that violate the First Amendment—was important to the development of this case.

Once it was determined that the Austin division of the Western District of Texas was the most appropriate venue for this case, it was necessary to bring in local counsel to assist. Jim Hemphill of the Austin law firm Graves Dougherty Heaton & Moody was retained; he not only has handled several matters in this Court but is also a highly experienced First Amendment and media law attorney. Ex. B. ¶¶ 3-4; Ex. D ¶ 9.

As a part of the need to investigate and determine Ch. 423's full impact on First Amendment-protected activity, Plaintiffs' counsel interviewed countless NPPA members and other journalists, including some drone journalists and users that ultimately did not participate in the case because of the legal and financial risk, which highlighted the need to bring this case with trade associations as Plaintiffs. Ex. D ¶ 10. Having served as counsel and advocates for NPPA for a decade and a half, Mr. Osterreicher and Ms. Calzada brought unique perspectives and an in-depth understanding of the visual journalism industry, including drone journalism and the First Amendment rights of visual journalists, as well as specific experience counseling journalists on Ch. 423 and other drone laws. Both also co-host NPPA's annual Drone Journalism Leadership Summit. Ex. D. ¶ 13; Ex. E ¶ 25.

The participation of the Yale Law School MFIA Clinic was crucial to Plaintiffs' success. As set forth in the Declaration of David Schulz (Ex. F), this case presented several novel legal issues that had to be untangled and posed significant standing questions, all of which were researched by MFIA students (*id.* ¶ 5) at a much lower hourly rate than would be charged by

experienced, licensed attorneys. The MFIA students were supervised by clinic director David Schulz, one of the nation's foremost First Amendment and media attorneys; Mr. Schulz has been practicing in this field for more than four decades, and also is the Floyd Abrams Clinical Lecturer at Yale Law School. *Id.* ¶¶ 12-15. Assisting with the Clinic was Michael Linhorst, the Newmark Fellow for the MFIA Clinic and a Clinical Lecturer in Law at Yale Law School; Mr. Linhorst is a graduate of Harvard Law School, a member of the State Bar of New York, and a former federal judicial clerk and litigation associate. *Id.* ¶¶ 16-18.

The attorneys from Public Justice also made substantial contributions to Plaintiffs' representation. Leah Nicholls led Public Justice's team on this case; she is an experienced public-interest litigator with a long history of successful cases and has taught at Georgetown University Law Center and the University of the District of Columbia. Ex. C ¶¶ 5-15. Working alongside Ms. Nicholls was Leslie Brueckner, then also at Public Justice (now Partner and Appellate and Supreme Court Practice Group Leader at the law firm Bailey & Glasser). *Id.* ¶ 16. Ms. Brueckner's three-decades-plus law practice has included successes in First Amendment cases as well as a wide range of other issues, and she has taught appellate advocacy at American University Law School and Georgetown University Law School. *Id.* ¶¶ 18-24. Public Justice's initial role focused on development of claims and arguments surrounding First Amendment law and federal preemption. *Id.* ¶ 29. Once the claims were set, Ms. Nicholls took primary responsibility to avoid unnecessary duplication of effort. *Id.* ¶ 30. Although other Public Justice attorneys and fellows contributed significant time to development of this case, Public Justice in its billing judgment has written off more than 118 hours of billed time. *Id.* ¶ 33. Also not included is the time spent by its legal assistants, who do not bill for their time. *Id.* ¶ 34.

Jim Hemphill of the Austin law firm Graves Dougherty Hearon & Moody fulfilled the role of local counsel due to his familiarity with this Court's practices, having handled several matters in this District and Division including jury trials. Ex. B. ¶ 4. As a First Amendment litigator with almost 30 years of experience, he also contributed substantive strategy, drafting and editing, and worked with Plaintiffs and witnesses on discovery and declaration issues. *Id.* Mr. Hemphill has reviewed his time entries to delete those he considered duplicative or in any way not reasonable or necessary, and also has excluded all time spent on this matter by other attorney and non-lawyer timekeepers at his law firm. *Id.* ¶ 9.

Because many legal issues related to drone journalism are untested in courts, counsel spent several months on investigative work. In addition to the novel legal issues, including novel questions surrounding drones generally, a large number of journalists were impacted. Unlike a case involving straightforward settled law, Plaintiffs' counsel were required to examine various legal theories.

Plaintiffs also needed to determine the proper defendants and venue. As Plaintiffs communicated with journalists and other drone operators, they found some were reluctant to testify for the same reasons that Ch. 423 chilled their journalism. Plaintiffs also conferred with several news organizations about participating as plaintiffs in the case. The organizations' reluctance or inability to do so illustrates the importance of the need for trade organizations, NPPA and TPA in particular, to carry the burden as Plaintiffs in this case, and for 42 U.S.C. § 1988 to be applied to this case to allow NPPA and TPA to vindicate the rights of journalists threatened by legislation that exceeds the bounds of the First Amendment.

B. Billing Judgment

As noted in the attached declarations, counsel in this case took steps to avoid duplicative work, dividing up research and drafting by topic and tasks. Ex. B ¶ 9; Ex. C ¶ 30; Ex. D ¶ 17; Ex. E ¶ 55; Ex. F ¶ 6. Additionally, the declarant attorneys used their billing judgment to exclude significant numbers of hours spent by members of their teams. Ex. B ¶ 9; Ex. D ¶ 20; Ex. E ¶ 58; Ex. F ¶¶ 8-10.

C. Reasonable rate for the work completed

Expert testimony on reasonable rates in the Austin area for this highly specialized area of the law is provided by Jim Hemphill. Ex. B ¶ 11. Mr. Hemphill has been licensed to practice law in Texas since 1993 and began his practice in Austin the following year after a clerkship with a federal appellate court judge. Since the start of his practice, he has worked on cases involving media and the First Amendment, both in Texas and around the country, is familiar with fees charged in such cases, and has made fee applications in such cases. *Id.* While most of the time spent in this case was before 2022, the delay in payment must also be considered. The Supreme Court has held that delayed pay is not equivalent to the dollar amount that would have been received promptly after the services were performed, and “an appropriate adjustment for delay in payment – whether by the application of current rather than historic hourly rates or otherwise – is within the contemplation of [42 U.S.C. § 1988].” *Missouri v. Jenkins*, 491 U.S. 274, 283-84, 109 S. Ct. 2463, 2469 (1989). With this in mind, Plaintiffs ask the court to apply reasonable 2022 rates for the Austin locality to the lodestar calculation.

Based on Mr. Hemphill’s expert testimony as to reasonable rates in the Austin area, Plaintiffs are seeking the following rates, and based on the attached declarations, are seeking recovery in the following amounts for the specified number of hours:

| Attorney | 2022 Rate | Hours | Total |
|----------------------|------------------------------|-------|--------------|
| Jim Hemphill | \$575 | 174.4 | \$100,280.00 |
| David Schulz | \$625 | 23.0 | \$14,375.00 |
| Mickey Osterreicher | \$550 | 215.1 | \$118,305.00 |
| Alicia Calzada | \$425 | 310.8 | \$132,090.00 |
| Leslie Brueckner | \$625 | 96.0 | \$60,000.00 |
| Leah Nicholls | \$475 | 121.7 | \$57,807.50 |
| Michael Linhorst | \$350 | 91.3 | \$31,955.00 |
| MFIA Student Interns | \$145 | 294.8 | \$42,746.00 |
| | Total reasonable lodestar | | \$557,558.50 |

Ex. A; Ex. B ¶¶ 10-12; Ex. C ¶ 40; Ex. D ¶ 18; Ex. E ¶ 56; Ex. F ¶ 11; Ex. H.

D. Lodestar total

Given the reasonable rates outlined above, and the reasonable time spent on this case as outlined above and in the accompanying declarations, Plaintiffs respectfully submit that the appropriate lodestar total in this case is \$557,558.50.

E. Johnson factors

The hourly rates charged in this case are at or below reasonable hourly rates for attorneys of similar experience and expertise in the Austin area. Ex. B ¶ 11. However, there are several *Johnson* factors in this case that would support an upward adjustment to the baseline lodestar hourly rate. NPPA and TPA repeatedly testified against SB 912, the bill that resulted in Ch. 423, informing the Legislature that this law violated the First Amendment; it was passed regardless. Plaintiffs and others argued for amendments to the law to exempt journalists. Even after this lawsuit was filed and this Court denied a motion to dismiss, the Legislature—faced with an interim charge to evaluate and revise Ch. 423, which resulted in recommendations and guidance about the threats posed by the law—did nothing to amend or repeal the offensive sections of Ch. 423. In short, the legislature knowingly passed an unconstitutional law, repeatedly refused to change

course, and this lawsuit was truly the only possible avenue for Texas journalists to obtain relief for this unconstitutional impediment to their reporting.

The *Johnson* factors are: (1) time and labor required, (2) novelty and difficulty of the issues, (3) skill required to perform the legal services properly, (4) preclusion of other employment, (5) customary fees, (6) whether the fee is fixed or contingent, (7) time limitations imposed by the client or the circumstances, (8) amount involved and results obtained, (9) experience, reputation and ability of the attorneys, (10) undesirability of the case, (11) nature and length of the professional relationship with the client, and (12) awards in similar cases.

Several of these factors were already accounted for in the lodestar analysis above, including: time and labor required; preclusion of other employment; experience, reputation and skill of the attorneys; and customary fees. The remaining factors include:

(1) *Novelty and difficulty of the issues, and skill required to perform the legal services properly*: This case meets the very definition of novelty. As drones are a relatively new technology in journalism and among the general public, laws relating to drones are in their nascent stages. This case is believed to be the first case addressing the rights of visual journalists to use drones in the nation. Ex. D ¶ 9. These factors all made litigating this case more challenging, and more risky.

(2) *Skill required to perform the legal services properly*: The attorneys in this case all had unique skills necessary to the successful outcome of this case. However, it is worth noting that the rates attested to in the above lodestar calculations are merely comparable to, or less than, those of similarly qualified attorneys in this field of practice in Austin, Texas. There are many attorneys in this practice area whose rates are higher and objective data sources that would support higher rates. *See, e.g.*, Ex. F ¶ 19; Ex. C ¶ 42-43; Ex. B ¶ 11. This Court has discretion to adjust the lodestar upward to account for this.

(3) *Whether the fee is fixed or contingent:* Plaintiffs' counsel took on this case with no assurances that they would ever recover any fees. Ex. B ¶ 13. To incentivize attorneys to take cases like the one at bar, an upward adjustment is warranted.

(4) *The amount in controversy and results obtained:* While no money damages were sought in this case, the ability to use drones for journalistic purposes has a value that Plaintiffs cannot put a price on. Likewise for the citizens of Texas who rely on journalists' ability to accurately report on matters of public concern in as clear a manner as possible. Seeking only injunctive relief, and with scant precedent on drone litigation, Plaintiffs' attorneys took on this case at no cost to the Plaintiffs, and with no promise of financial benefit, and therefore at great risk of engaging in years of extensive legal work with no financial benefit.

The degree of success obtained is “‘the most critical factor’ in determining the reasonableness of a fee award.” *In re Simons Broad.*, No. W-11-CA-172, 2014 U.S. Dist. LEXIS 203199, at *18 (W.D. Tex. Feb. 14, 2014) (applying an upward adjustment to lodestar). The Plaintiffs were entirely successful in obtaining their goal of voiding the offensive portions of Ch. 423.³ An upward adjustment would be warranted by the financial risk involved in representing plaintiffs in this case, and the need to provide incentive to attorneys to take on novel legal questions that implicate the First Amendment. *See In re Lawler*, 807 F.2d 1207, 1214 (5th Cir. 1987) (increasing lodestar by a factor of 1.7 for “exceptional results” in an “unusual case with novel legal questions presented”).

(5) *The undesirability of the case:* An increased award is also appropriate to encourage counsel such as the undersigned to take on risky cases such as this one. To work on a case for years with no promise of being paid was a risk for the attorneys in this case. The work completed by the

³ Despite this, MFIA removed time entries spent by students on research and drafting attributable to the pre-emption claim that was dismissed. Ex. F ¶ 8.

attorneys prevented some of them from taking other paying clients or working on cases where payment was more certain, and therefore potentially reduced their income over the past four years. Ex. B ¶ 13; Ex. D ¶ 19. This dynamic goes to the core of why Congress set forth a mechanism for attorneys' fees to be recovered under Section 1988 in cases such as this. Even still, the Plaintiffs do not yet have a guarantee that an appeal will not further delay the income recovery for this work.

(6) *The nature and length of the professional relationship with the client:* Attorneys Calzada and Osterreicher have represented NPPA for 11 and 17 years, respectively. Public Justice and MFIA both have a history of providing legal services for NPPA in support of the First Amendment rights of visual journalists. Similarly, as part of a small contingent of attorneys practicing media law, Mr. Hemphill has known NPPA's and MFIA's attorneys for many years. Calzada and Osterreicher have provided legal services to NPPA that were directly relevant to Ch. 423 since the moment it was passed into law.

An objective analysis of these factors justifies fees in excess of the lodestar. However, Plaintiffs have chosen not to seek an upward departure under *Johnson*. They seek only to recover the lodestar amount, though the facts and the law would support a larger award. The *Johnson* factors further illustrate that the lodestar amount is well within reason.

II. Costs

As the prevailing party, Plaintiffs are also entitled to an award of costs. Fed. R. Civ. P. 54(d)(1). Plaintiffs took pains to limit the expenses in this case. Much of this case took place during the Covid-19 pandemic, and Plaintiffs' counsel—who are located in several different states—primarily met virtually and via phone (except for MFIA students who met in person). There were no in-person hearings in this case, and there were no travel expenses assessed. The minimal costs

in this case include the filing fee, service fees, fees for admission to this court *pro hac vice*, and total \$2,418.88; the costs are summarized on Exhibit G. Ex. B ¶ 14; Ex. C ¶ 41.

III. Conditional appellate fees

In the event of an appeal in which Plaintiffs are successful, Plaintiffs seek conditional appellate fees in the following amounts (Ex. B ¶ 16):

- In the event of an appeal to the Court of Appeals for the Fifth Circuit requiring briefing: an additional \$50,000;
- In the event of oral argument in the Court of Appeals: an additional \$25,000;
- In the event of a Petition for Certiorari to the U.S. Supreme Court: an additional \$35,000;
- In the event of merits briefing and oral argument in the U.S. Supreme Court: an additional \$75,000.

Conclusion

Plaintiffs move the Court for an award of attorneys' fees, costs, and conditional appellate attorneys' fees in the amounts set forth herein.

Respectfully submitted,

By: /s/ James A. Hemphill
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CERTIFICATE OF CONFERENCE

I hereby certify that Pursuant to Local Rule CV-54, counsel for the parties met and conferred regarding Plaintiffs' fee application. The meeting was held via telephone conference call. Participants were Jim Hemphill and Alicia Calzada for Plaintiffs and Christopher Hilton and Michael Shaunessy for Defendants. Before the meeting, Plaintiffs' counsel provided Defendants' counsel with a spreadsheet including each timekeeper's hourly fee and entries including task and time spent for each task for which fees are being sought.

No agreement on the fee application was reached. Counsel for Defendants stated that at this time they could not agree as to the reasonableness of the hourly rates sought by Plaintiffs' counsel or the reasonableness or necessity of the number of hours spent by Plaintiffs' counsel.

/s/ James A. Hemphill

James A. Hemphill

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of April, 2022, the foregoing was electronically filed with the Clerk of Court using the CM/ECT system, which will send notification of such filing to counsel of record,

/s/ James A. Hemphill

James A. Hemphill

| Date | User | Hours | Description | Rate (\$) | Billable (\$) |
|------------|--------------------|-------|--|-----------|---------------|
| 8/14/2017 | L. Brueckner | 3.0 | Work on developing Texas drone case | \$625 | \$1,875.00 |
| 8/15/2017 | L. Brueckner | 3.0 | Work on developing TX drone case | \$625 | \$1,875.00 |
| 8/16/2017 | L. Brueckner | 4.0 | Work on developing TX drone case | \$625 | \$2,500.00 |
| 8/21/2017 | L. Brueckner | 1.0 | Call with DM re TX drone case | \$625 | \$625.00 |
| 8/31/2017 | L. Brueckner | 5.5 | Research re Texas drone case; call with Dave; call with FAA | \$625 | \$3,437.50 |
| 9/8/2017 | Isabel Farhi | 2.3 | Legal research re vagueness and overbreadth theories | \$145 | \$333.50 |
| 9/9/2017 | Isabel Farhi | 2.9 | Draft memo re overbreadth and vagueness | \$145 | \$420.50 |
| 9/12/2017 | Isabel Farhi | 0.7 | Revise overbreadth and vagueness memo | \$145 | \$101.50 |
| 9/13/2017 | Meenakshi Krishnan | 1.5 | Legal research re content-based discrimination in the Fifth Circuit | \$145 | \$217.50 |
| 9/13/2017 | Meenakshi Krishnan | 1.5 | Draft memo on content-based/viewpoint-based discrimination in Section 423 of the Texas Privacy Act | \$145 | \$217.50 |
| 9/15/2017 | Isabel Farhi | 0.5 | Factual research re Texas drone reporting re Hurricane Harvey | \$145 | \$72.50 |
| 9/16/2017 | Isabel Farhi | 0.6 | Further research on overbreadth standards | \$145 | \$87.00 |
| 9/19/2017 | Isabel Farhi | 0.5 | Revise overbreadth and vagueness memo | \$145 | \$72.50 |
| 9/20/2017 | David Stanton | 2.4 | Research property rights over airspace under Texas law | \$145 | \$348.00 |
| 9/20/2017 | David Stanton | 0.3 | Research FAA regulations on flying above military bases | \$145 | \$43.50 |
| 9/20/2017 | Isabel Farhi | 1.3 | Research on enforcement of critical infrastructure provisions | \$145 | \$188.50 |
| 9/21/2017 | Meenakshi Krishnan | 1.0 | Research regarding FAA drone licensing requirements | \$145 | \$145.00 |
| 9/21/2017 | Meenakshi Krishnan | 1.8 | Research Texas legislative history related to Section 423 of the Texas Privacy Act and draft memo re same | \$145 | \$261.00 |
| 9/21/2017 | Meenakshi Krishnan | 0.8 | Research potential content discrimination and viewpoint discrimination claims regarding Section 423 | \$145 | \$116.00 |
| 9/27/2017 | David Stanton | 3.5 | Draft prospective claims against infrastructure provision of Texas Privacy Act | \$145 | \$507.50 |
| 9/28/2017 | Meenakshi Krishnan | 3.6 | Draft content-based and viewpoint-based discrimination claims against the Texas Privacy Act | \$145 | \$522.00 |
| 9/29/2017 | Isabel Farhi | 0.5 | Revise draft claims against Texas Privacy Act | \$145 | \$72.50 |
| 10/3/2017 | Isabel Farhi | 0.5 | Research procedural issues | \$145 | \$72.50 |
| 10/4/2017 | David Stanton | 3.2 | Research case law on separability of statutes | \$145 | \$464.00 |
| 10/10/2017 | David Stanton | 2.7 | Research FAA drone regulations and how they interact with Tex. Gov't Code Ann. § 423.003. | \$145 | \$391.50 |
| 10/11/2017 | David Stanton | 1.0 | Revise memo regarding content-based nature of Section 423.0045. | \$145 | \$145.00 |
| 10/17/2017 | David Stanton | 5.0 | Further research on legislative history of Texas drone statutes. | \$145 | \$725.00 |
| 10/18/2017 | David Stanton | 1.0 | Research legislative history, particularly audio/video recordings, for Texas 84(R) HB 1481. | \$145 | \$145.00 |
| 10/18/2017 | David Stanton | 3.3 | Draft argument that Texas drone statute relating to critical infrastructure is unconstitutional because content-based. | \$145 | \$478.50 |

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|-----------|------------------|-----|---|-------|------------|
| 1/31/2018 | Alicia Calzada | 3.1 | Communicate with team from Yale Law School clinic about potential lawsuit challenging Texas drone statute; review memo and other communications on legal challenges to anti-drone laws. | \$425 | \$1,317.50 |
| 2/1/2018 | Alicia Calzada | 1.0 | Communicate with member about potential lawsuit related to Texas drone law. | \$425 | \$425.00 |
| 2/1/2018 | Allison Douglass | 0.4 | Discussion of case theory with constitutional law expert (J. Balkin) | \$145 | \$58.00 |
| 2/5/2018 | L. Nicholls | 1.1 | Drones: Call with East re project | \$475 | \$522.50 |
| 2/5/2018 | L. Nicholls | 0.1 | Reviewing materials re drone issue | \$475 | \$47.50 |
| 2/6/2018 | Alicia Calzada | 2.7 | Communicate with lawyers from Public Justice regarding concerns related to drone laws; follow up communications. | \$425 | \$1,147.50 |
| 2/6/2018 | L. Brueckner | 2.5 | Research re potential Texas drone case; call with NPPA | \$625 | \$1,562.50 |
| 2/6/2018 | L. Nicholls | 2.5 | Drones: Reviewing materials in preparation for call | \$475 | \$1,187.50 |
| 2/6/2018 | L. Nicholls | 1.0 | Drones - call with NPPA | \$475 | \$475.00 |
| 2/7/2018 | L. Brueckner | 0.2 | Write to Leah re follow up with Yale on Texas drone | \$625 | \$125.00 |
| 2/7/2018 | L. Brueckner | 0.3 | Review Mickey O; email on Texas drone potential case; respond to same | \$625 | \$187.50 |
| 2/8/2018 | Alicia Calzada | 0.5 | communicate with Yale clinic regarding drone law challenge. | \$425 | \$212.50 |
| 2/12/2018 | L. Brueckner | 0.4 | Email re conference call in Texas drone case | \$625 | \$250.00 |
| 2/12/2018 | John Brinkerhoff | 2.8 | Research on legislative history of initial Texas drone ban | \$145 | \$406.00 |
| 2/13/2018 | Alicia Calzada | 0.2 | Communicate with Texas attorneys about drone law. | \$425 | \$85.00 |
| 2/13/2018 | L. Brueckner | 3.5 | Texas drone research in preparation for call with the Yale mafia clinic | \$625 | \$2,187.50 |
| 2/14/2018 | L. Brueckner | 1.8 | Prep for call with the Yale clinic and NPPA re Texas drone case | \$625 | \$1,125.00 |
| 2/14/2018 | L. Nicholls | 1.0 | Drones: Call with Yale clinic and NPPA | \$475 | \$475.00 |
| 2/15/2018 | L. Brueckner | 2.5 | Call with Leah re Texas drone research and misc | \$625 | \$1,562.50 |
| 2/16/2018 | L. Brueckner | 2.0 | More Texas drone research and conference call | \$625 | \$1,250.00 |
| 2/16/2018 | L. Nicholls | 1.5 | Drones: Call with Leslie and Dave | \$475 | \$712.50 |
| 2/20/2018 | L. Brueckner | 6.0 | More Texas drone research (reviewing all the different state laws) | \$625 | \$3,750.00 |
| 2/20/2018 | Allison Douglass | 4.8 | Legislative history research regarding drone law revisions | \$145 | \$696.00 |
| 2/21/2018 | L. Brueckner | 3.0 | Drone research (reviewing different state laws) | \$625 | \$1,875.00 |
| 2/22/2018 | Alicia Calzada | 3.4 | Meet with Public Justice to discuss legal challenge to Texas drone law and draft and send follow up communications; review testimony of HB 912 from 2013. | \$425 | \$1,445.00 |
| 2/22/2018 | L. Brueckner | 3.0 | More drone research; call with Leah and Alicia of NPPA | \$625 | \$1,875.00 |
| 2/22/2018 | L. Nicholls | 2.5 | Drones: Researching first amendment time place & manner law | \$475 | \$1,187.50 |
| 2/22/2018 | L. Nicholls | 0.8 | Drones: Follow up emails from calls re ethics issue and standing issues | \$475 | \$380.00 |
| 2/22/2018 | L. Nicholls | 1.2 | Drones: Call with Alicia from NPPA and Leslie East | \$475 | \$570.00 |
| 2/23/2018 | L. Brueckner | 3.0 | Continue to work on Texas drone research | \$625 | \$1,875.00 |
| 2/27/2018 | Allison Douglass | 1.8 | Draft intro and facts section of complaint | \$145 | \$261.00 |
| 2/27/2018 | John Brinkerhoff | 1.5 | Research element of § 1983 First Amendment claims and Fifth Circuit precedent | \$145 | \$217.50 |
| 2/27/2018 | John Brinkerhoff | 0.8 | Draft party, venue, causes of action, and relief sections of complaint | \$145 | \$116.00 |
| 3/1/2018 | Alicia Calzada | 0.2 | Communicate with potential co-plaintiffs for drone lawsuit. | \$425 | \$85.00 |

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| 3/2/2018 | Alicia Calzada | 0.7 | Communicate with potential co-plaintiff in drone lawsuit and organize list of possible plaintiffs | \$425 | \$297.50 |
| 3/2/2018 | L. Nicholls | 1.0 | Drones: First Amendment standards | \$475 | \$475.00 |
| 3/5/2018 | L. Brueckner | 1.5 | Work on Texas drone case - preparation for call with Yale media clinic; review Leah memo; call with Leah | \$625 | \$937.50 |
| 3/5/2018 | L. Brueckner | 1.0 | Work on Texas drone case; call with Yale clinic | \$625 | \$625.00 |
| 3/5/2018 | L. Nicholls | 3.7 | Drones: Time Place & Manner research (along with looking into whether exceptions can amount to content-based restriction) | \$475 | \$1,757.50 |
| 3/5/2018 | L. Nicholls | 0.5 | Drones: Substantive call with East re time place & manner | \$475 | \$237.50 |
| 3/5/2018 | L. Nicholls | 0.7 | Drones: Call with Yale clinic about co-counseling | \$475 | \$332.50 |
| 3/6/2018 | Alicia Calzada | 0.8 | Meet with Public Justice and Yale clinic about potential plaintiffs in drone lawsuit. | \$425 | \$340.00 |
| 3/6/2018 | L. Brueckner | 0.8 | Work on Texas drone case (debrief call with Leah, post-conference call) | \$625 | \$500.00 |
| 3/6/2018 | L. Nicholls | 1.1 | Drones: Call with Alicia and Yale clinic re potential clients & email follow-up email | \$475 | \$522.50 |
| 3/6/2018 | L. Nicholls | 0.6 | Drones: Call with Leslie re earlier call recap and preemption discussion | \$475 | \$285.00 |
| 3/7/2018 | Alicia Calzada | 0.3 | Communicate with Mr. Osterreicher re drone law. | \$425 | \$127.50 |
| 3/7/2018 | Mickey Osterreicher | 0.3 | Email/TC w/ AWC | \$550 | \$165.00 |
| 3/8/2018 | L. Brueckner | 0.8 | Work on Texas drone case - review cooperating attorney agreement from Yale; email to team re same | \$625 | \$500.00 |
| 3/12/2018 | L. Brueckner | 2.0 | Work on Texas drone case - work on cooperating attorney and retainer agreements | \$625 | \$1,250.00 |
| 3/12/2018 | L. Nicholls | 0.1 | Drones: Call with East re retainer agreement | \$475 | \$47.50 |
| 3/15/2018 | John Brinkerhoff | 3.2 | Research equal protection claims relating to disparate treatment affecting first amendment interests | \$145 | \$464.00 |
| 3/16/2018 | John Brinkerhoff | 1.2 | Revise equal protection allegations re Chapter 423 | \$145 | \$174.00 |
| 3/16/2018 | John Brinkerhoff | 2.8 | Research defining drone imagery as protected first amendment expression | \$145 | \$406.00 |
| 3/16/2018 | John Brinkerhoff | 5.2 | Research definitions of content-based discrimination and narrow tailoring approaches | \$145 | \$754.00 |
| 3/16/2018 | John Brinkerhoff | 0.6 | Draft allegations defining the capture of drone imagery and subsequent publication as protected speech | \$145 | \$87.00 |
| 3/17/2018 | John Brinkerhoff | 4.7 | Research and revise content-based discrimination section (both defining the violation as content based and tailoring) | \$145 | \$681.50 |
| 3/17/2018 | John Brinkerhoff | 2.3 | Research and revise overbreadth and vagueness issues | \$145 | \$333.50 |
| 3/20/2018 | Alicia Calzada | 0.1 | Communicate with NPPA leadership about state drone law. | \$425 | \$42.50 |
| 3/20/2018 | Mickey Osterreicher | 0.1 | TC w/ NPPA EC | \$550 | \$55.00 |
| 3/23/2018 | Alicia Calzada | 0.3 | Reach out to potential co-plaintiffs for possible lawsuit to challenge Texas. Ch. 423 drone law, for updates and follow-up calls | \$425 | \$127.50 |
| 3/26/2018 | Alicia Calzada | 0.6 | Reach out to potential plaintiffs for Ch. 423 drone lawsuit. | \$425 | \$255.00 |
| 3/27/2018 | Alicia Calzada | 1.0 | Participate in phone meeting regarding drone lawsuit. | \$425 | \$425.00 |
| 3/27/2018 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 3/28/2018 | Alicia Calzada | 1.5 | Meet with Public Justice, Yale Law School Clinic and potential plaintiff in drone lawsuit. | \$425 | \$637.50 |

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| 3/28/2018 | Alicia Calzada | 0.5 | Research potential lobbyists who might have influenced Ch. 423 drone law. | \$425 | \$212.50 |
| 3/28/2018 | Mickey Osterreicher | 1.5 | Email/TC w/co-counsel | \$550 | \$825.00 |
| 3/28/2018 | Mickey Osterreicher | 0.5 | Research TX Ch. 423 | \$550 | \$275.00 |
| 3/28/2018 | L. Brueckner | 0.8 | Teas drone call with client | \$625 | \$500.00 |
| 3/29/2018 | Alicia Calzada | 0.3 | Drone lawsuit: Review public information request from Ms. Dougliis. | \$425 | \$127.50 |
| 4/4/2018 | Alicia Calzada | 0.4 | Advise co-counsel on PIA request targets in support of Drone lawsuit. | \$425 | \$170.00 |
| 4/4/2018 | Allison Dougliis | 0.3 | Outline issues for interview of Joe Pappalardo | \$145 | \$43.50 |
| 4/5/2018 | Alicia Calzada | 2.1 | Drone lawsuit: communicate with potential plaintiff; continue reviewing and revising public information request. | \$425 | \$892.50 |
| 4/5/2018 | L. Nicholls | 0.7 | Drones: Call with Joe Pappalardo as potential client | \$475 | \$332.50 |
| 4/6/2018 | Allison Dougliis | 0.8 | Call with Joe Pappalardo and draft notes of call | \$145 | \$116.00 |
| 4/10/2018 | Alicia Calzada | 0.4 | Participate in conference call on legal challenge to Texas drone law. | \$425 | \$170.00 |
| 4/10/2018 | Mickey Osterreicher | 0.4 | Email/TC w/co-counsel | \$550 | \$220.00 |
| 4/10/2018 | L. Brueckner | 0.6 | Call with Texas Drone team re clients | \$625 | \$375.00 |
| 4/10/2018 | L. Nicholls | 0.5 | Drones: Weekly team call re clients and FOIA requests | \$475 | \$237.50 |
| 4/17/2018 | Alicia Calzada | 0.7 | Participate in conference call with co-counsel to discuss case updates and strategy for Texas drone lawsuit. | \$425 | \$297.50 |
| 4/17/2018 | Alicia Calzada | 1.8 | Research federal judges and best venue for filing Ch. 423 drone lawsuit and communicate research to co-counsel. | \$425 | \$765.00 |
| 4/17/2018 | Mickey Osterreicher | 0.7 | Email/TC w/co-counsel | \$550 | \$385.00 |
| 4/17/2018 | L. Brueckner | 1.5 | Call with Texas Drone team; revisions to retainer agreement | \$625 | \$937.50 |
| 4/17/2018 | L. Nicholls | 0.7 | Drones: Call with team re retainer agreement, forum, potential client update, etc. | \$475 | \$332.50 |
| 4/24/2018 | Alicia Calzada | 0.8 | Participate in phone meeting with co-counsel to discuss next steps in Texas Drone lawsuit and follow up communications. | \$425 | \$340.00 |
| 4/24/2018 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 4/24/2018 | L. Nicholls | 0.5 | Drones: Weekly call re status on plaintiffs and legal issues | \$475 | \$237.50 |
| 4/25/2018 | Allison Dougliis | 0.6 | Submit public information requests to Texas Senate | \$145 | \$87.00 |
| 5/8/2018 | Alicia Calzada | 0.4 | Review draft affidavit for drone lawsuit and communicate with co-counsel on same. | \$425 | \$170.00 |
| 5/8/2018 | Alicia Calzada | 1.1 | Review Summary of Arguments concerning preemption of state drone laws and communicate with co-counsel on same. | \$425 | \$467.50 |
| 5/8/2018 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 5/8/2018 | Mickey Osterreicher | 0.4 | Review draft affidavit | \$550 | \$220.00 |
| 5/8/2018 | Mickey Osterreicher | 1.1 | Research/Review Federal Preemption | \$550 | \$605.00 |
| 5/9/2018 | Alicia Calzada | 1.0 | Communicate with NPPA member who will give NPPA standing in drone lawsuit about his drone journalism activities and obstacles posed by Ch. 423; follow up with co-counsel on same. | \$425 | \$425.00 |
| 5/9/2018 | L. Nicholls | 0.1 | Drones: Reading memo and other preliminary draft papers for substance (draft PI and memo on preemption arguments) | \$475 | \$47.50 |

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| 5/10/2018 | Alicia Calzada | 1.3 | Review Injunction memo draft in drone lawsuit. | \$425 | \$552.50 |
| 5/10/2018 | Mickey Osterreicher | 1.3 | Review Draft Memo | \$550 | \$715.00 |
| 5/14/2018 | L. Nicholls | 0.7 | Drones: reviewing and commenting on draft PI motion | \$475 | \$332.50 |
| 5/15/2018 | Alicia Calzada | 1.3 | Communicate with member regarding Texas drone law and problem with access. | \$425 | \$552.50 |
| 5/15/2018 | Alicia Calzada | 1.1 | Participate in call with co-counsel on Ch. 423 Texas drone lawsuit to discuss draft preliminary injunction and pre-emption argument. | \$425 | \$467.50 |
| 5/15/2018 | Mickey Osterreicher | 1.1 | Email/TC w/co-counsel | \$550 | \$605.00 |
| 5/15/2018 | L. Brueckner | 1.0 | Call with Texas drone team | \$625 | \$625.00 |
| 5/22/2018 | Alicia Calzada | 0.7 | Talk with Ms. Bloch-Wehba about draft injunction for Texas drone lawsuit. | \$425 | \$297.50 |
| 5/29/2018 | Alicia Calzada | 1.4 | Confer with Ms. Brueckner and Ms. Nicholls on next steps in Ch. 423 drone case, updates on potential plaintiffs, need for drafting declarations, and updates to legal arguments. | \$425 | \$595.00 |
| 5/29/2018 | L. Nicholls | 1.4 | Texas drones: Weekly check in with team | \$475 | \$665.00 |
| 5/30/2018 | L. Brueckner | 2.2 | Work on Texas drone; call with Leah; call with team | \$625 | \$1,375.00 |
| 6/5/2018 | Alicia Calzada | 0.3 | Communicate with co-counsel on pre-emption and next steps on Texas drone lawsuit. | \$425 | \$127.50 |
| 6/5/2018 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 6/5/2018 | L. Brueckner | 1.0 | Call re Texas drone case | \$625 | \$625.00 |
| 6/5/2018 | L. Nicholls | 0.2 | Texas Drones: Weekly team call developing the case | \$475 | \$95.00 |
| 6/11/2018 | Alicia Calzada | 1.2 | Prepare draft affidavit for Brandon Wade for Texas Drone lawsuit. | \$425 | \$510.00 |
| 6/11/2018 | Mickey Osterreicher | 1.2 | Review draft affidavit | \$550 | \$660.00 |
| 6/13/2018 | L. Brueckner | 1.5 | Work on Texas drone case - review Sophia memo, email Sophia re same | \$625 | \$937.50 |
| 6/17/2018 | Mickey Osterreicher | 0.2 | Email/TC w/ AWC | \$550 | \$110.00 |
| 6/19/2018 | L. Nicholls | 0.4 | Texas drones: Reviewing memo on preemption | \$475 | \$190.00 |
| 6/19/2018 | L. Nicholls | 1.0 | Texas drones: Team call re preemption issue | \$475 | \$475.00 |
| 6/25/2018 | Alicia Calzada | 0.4 | Communicate with Mr. Osterreicher about drone lawsuit. | \$425 | \$170.00 |
| 6/25/2018 | Mickey Osterreicher | 0.4 | Email/TC w/ AWC | \$550 | \$220.00 |
| 6/26/2018 | Alicia Calzada | 1.0 | Communicate with member about Texas drone law and related lawsuit. | \$425 | \$425.00 |
| 6/26/2018 | L. Nicholls | 0.5 | Texas Drones: reviewing revised preemption memo | \$475 | \$237.50 |
| 6/29/2018 | Alicia Calzada | 0.7 | Prepare for and participate in meeting on Texas drone lawsuit. | \$425 | \$297.50 |
| 6/29/2018 | Mickey Osterreicher | 0.7 | Email/TC w/co-counsel | \$550 | \$385.00 |
| 6/29/2018 | L. Brueckner | 1.4 | Review Sophia preemption memo in Texas drone case and conference call with team | \$625 | \$875.00 |
| 6/29/2018 | L. Nicholls | 0.5 | Texas Drones: Call with Leslie, Alicia, and Hannah | \$475 | \$237.50 |
| 7/31/2018 | Alicia Calzada | 0.8 | Phone meeting regarding next steps for Ch. 423 Texas drone lawsuit and follow-up communications. | \$425 | \$340.00 |
| 7/31/2018 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 7/31/2018 | L. Nicholls | 0.4 | Texas Drones: Call with Alicia and Sophia re next steps | \$475 | \$190.00 |
| 8/3/2018 | Alicia Calzada | 0.6 | Begin drafting affidavit of G. Calzada for Ch. 423 Drone lawsuit. | \$425 | \$255.00 |
| 8/5/2018 | Mickey Osterreicher | 0.6 | Review draft affidavit | \$550 | \$330.00 |

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| 8/7/2018 | Alicia Calzada | 1.8 | Organize documents and prepare for phone call on moving forward with Texas Drone lawsuit; participate in phone call with MFIA and Public Justice. | \$425 | \$765.00 |
| 8/7/2018 | Mickey Osterreicher | 1.8 | Case Document Review | \$550 | \$990.00 |
| 8/7/2018 | L. Brueckner | 1.0 | Call with Texas drone team | \$625 | \$625.00 |
| 8/7/2018 | L. Nicholls | 0.9 | Texas drones: Call with team re figuring out what needs to be done | \$475 | \$427.50 |
| 8/8/2018 | Alicia Calzada | 0.8 | Draft research requests and assignments for Texas Drone law challenge. | \$425 | \$340.00 |
| 8/8/2018 | Mickey Osterreicher | 0.8 | Research | \$550 | \$440.00 |
| 8/16/2018 | Alicia Calzada | 1.0 | Participate in call on drone challenge. | \$425 | \$425.00 |
| 8/16/2018 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 8/16/2018 | L. Nicholls | 0.3 | Texas drones: Call with team | \$475 | \$142.50 |
| 9/11/2018 | Alicia Calzada | 0.9 | Participate in group call on Texas Drone challenge and do follow up research and communications related to caselaw on i-----, and affidavits. | \$425 | \$382.50 |
| 9/11/2018 | Mickey Osterreicher | 0.9 | Email/TC w/co-counsel | \$550 | \$495.00 |
| 9/13/2018 | Alicia Calzada | 0.3 | Communicate with co-counsel on Texas drone challenge | \$425 | \$127.50 |
| 9/13/2018 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 9/13/2018 | Rachel Cheong | 0.5 | Research vagueness standards | \$145 | \$72.50 |
| 9/14/2018 | Alicia Calzada | 1.3 | In preparation of Texas Drone challenge, review and revise affidavit of Joe Pappalardo; review and revise affidavit of Brandon Wade; review and revise affidavit of Robert Youens. | \$425 | \$552.50 |
| 9/14/2018 | Mickey Osterreicher | 1.3 | Review & revise affidavits | \$550 | \$715.00 |
| 9/16/2018 | Rachel Cheong | 1.3 | Research right to petition standards | \$145 | \$188.50 |
| 9/17/2018 | Alicia Calzada | 3.2 | Communicate with affiant Robert Youens and continue drafting affidavit for Texas drone challenge and forward for his review; communicate with Brandon Wade and revise his affidavit; communicate with affiant Joe Pappalardo and continue drafting his affidavit and forward for his review. | \$425 | \$1,360.00 |
| 9/17/2018 | Joseph Burson | 0.6 | Draft outline of overbreadth section of memorandum | \$145 | \$87.00 |
| 9/18/2018 | Rachel Cheong | 2.2 | Research application of vagueness standards to surveillance provision | \$145 | \$319.00 |
| 9/20/2018 | Joseph Burson | 0.5 | Research on speaker-based restrictions | \$145 | \$72.50 |
| 9/20/2018 | Joseph Burson | 0.8 | Drafting/editing complaint - surveillance provision facts | \$145 | \$116.00 |
| 9/20/2018 | Joseph Burson | 0.7 | Drafting/editing content-based discrimination provisions in complaint | \$145 | \$101.50 |
| 9/21/2018 | Joseph Burson | 0.8 | Drafting/editing overbreadth allegations | \$145 | \$116.00 |
| 9/23/2018 | Alicia Calzada | 0.8 | Communicate with member about Drone lawsuit | \$425 | \$340.00 |
| 9/26/2018 | Isabel Farhi | 1.4 | Edit complaint | \$145 | \$203.00 |
| 9/27/2018 | Isabel Farhi | 0.5 | Review plaintiff affidavit and incorporate additional facts into draft complaint | \$145 | \$72.50 |
| 9/28/2018 | Rachel Cheong | 2.1 | Add information from Pappalardo affidavit into complaint | \$145 | \$304.50 |
| 10/2/2018 | Alicia Calzada | 2.0 | Meet with Yale MFIA clinic to discuss draft Texas Drone complaint; research best citations to industry definition of commercial photography. | \$425 | \$850.00 |
| 10/2/2018 | Mickey Osterreicher | 2.0 | Email/TC w/co-counsel | \$550 | \$1,100.00 |

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| 10/2/2018 | L. Nicholls | 0.5 | Texas drones: weekly team call re progress and substance of complaint & reviewing follow-up email | \$475 | \$237.50 |
| 10/2/2018 | Joseph Burson | 0.6 | Background research on organizational standing under Section 1983 | \$145 | \$87.00 |
| 10/4/2018 | Alicia Calzada | 1.0 | Communicate with Yale MFIA clinic to discuss drone lawsuit. | \$425 | \$425.00 |
| 10/4/2018 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 10/5/2018 | Isabel Farhi | 0.3 | Prepare factual questions for client | \$145 | \$43.50 |
| 10/8/2018 | Isabel Farhi | 0.3 | Reviewed draft preliminary injunction memo. | \$145 | \$43.50 |
| 10/8/2018 | Joseph Burson | 0.5 | Draft questions/comments/concerns over Wade affidavit | \$145 | \$72.50 |
| 10/9/2018 | Alicia Calzada | 1.5 | Travel to New Haven and meet in person with Yale Freedom of Information clinic to discuss Texas drone lawsuit. | \$425 | \$637.50 |
| 10/10/2018 | Joseph Burson | 1.3 | Edit complaint | \$145 | \$188.50 |
| 10/14/2018 | L. Brueckner | 3.2 | Revised complaint in Texas drone case to add preemption allegations and count | \$625 | \$2,000.00 |
| 10/16/2018 | Alicia Calzada | 1.0 | Review Draft of complaint in Texas Drone lawsuit. | \$425 | \$425.00 |
| 10/16/2018 | Mickey Osterreicher | 1.0 | Review Draft of complaint | \$550 | \$550.00 |
| 10/19/2018 | Rachel Cheong | 2.9 | Research re: proper parties to enjoin in constitutional litigation involving criminal/civil state law | \$145 | \$420.50 |
| 10/20/2018 | Rachel Cheong | 3.8 | Research and draft memo re: proper parties to enjoin in lawsuit, applicability of the prior restraint theory to Chapter 423.006 | \$145 | \$551.00 |
| 10/21/2018 | Joseph Burson | 0.5 | research on 11th amendment | \$145 | \$72.50 |
| 10/22/2018 | Alicia Calzada | 0.5 | Review B. Wade affidavits related to Texas Drone lawsuit and revise | \$425 | \$212.50 |
| 10/22/2018 | Mickey Osterreicher | 0.5 | Review & revise affidavits | \$550 | \$275.00 |
| 10/23/2018 | L. Nicholls | 0.6 | Drones: Weekly call on status of complaint | \$475 | \$285.00 |
| 10/27/2018 | Isabel Farhi | 1.4 | Research and draft proper venue memo | \$145 | \$203.00 |
| 10/28/2018 | Isabel Farhi | 1.1 | Draft venue memo | \$145 | \$159.50 |
| 10/29/2018 | Joseph Burson | 2.8 | Researching Ex parte Young as applied to law enforcement agencies in TX | \$145 | \$406.00 |
| 10/31/2018 | Alicia Calzada | 0.5 | Review current draft of Complaint in drone lawsuit and discuss potential plaintiffs with Mr. Osterreicher. | \$425 | \$212.50 |
| 10/31/2018 | Mickey Osterreicher | 0.5 | Email/TC w/ AWC | \$550 | \$275.00 |
| 11/1/2018 | Isabel Farhi | 0.9 | Researched necessity of Texas Attorney General as defendant; reviewed drones report | \$145 | \$130.50 |
| 11/2/2018 | Joseph Burson | 1.9 | Revise and expand Ex Parte Young research | \$145 | \$275.50 |
| 11/4/2018 | Joseph Burson | 0.5 | Research photography as speech | \$145 | \$72.50 |
| 11/6/2018 | Alicia Calzada | 3.3 | TX drone- review compliant draft and participate in group phone call with co-counsel; review research on proper defendants and conduct research on same. | \$425 | \$1,402.50 |
| 11/6/2018 | Mickey Osterreicher | 3.3 | Review/revise draft complaint | \$550 | \$1,815.00 |
| 11/6/2018 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 11/6/2018 | L. Nicholls | 0.6 | Texas drones: Weekly call | \$475 | \$285.00 |
| 11/7/2018 | Alicia Calzada | 0.7 | Texas Drone lawsuit- call member who is affiant to discuss updates and strategy; communicate with attorney for potential media corporation plaintiff. | \$425 | \$297.50 |

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| 11/8/2018 | Alicia Calzada | 0.5 | Communicate with editor of potential plaintiff in Texas drone lawsuit; communicate with Mr. Osterreicher on potential plaintiff. | \$425 | \$212.50 |
| 11/8/2018 | Mickey Osterreicher | 0.5 | Email/TC w/ AWC | \$550 | \$275.00 |
| 11/12/2018 | Alicia Calzada | 3.6 | Review Texas drone Complaint, make revisions to draft, and conduct related research on claims. | \$425 | \$1,530.00 |
| 11/12/2018 | Mickey Osterreicher | 3.6 | Review/revise draft complaint | \$550 | \$1,980.00 |
| 11/12/2018 | L. Brueckner | 0.9 | Texas Drone conference call | \$625 | \$562.50 |
| 11/13/2018 | L. Nicholls | 1.0 | Texas Drones: Weekly team call & follow-up email | \$475 | \$475.00 |
| 11/14/2018 | L. Brueckner | 0.6 | Emails with Leah and Dave re Texas drone and ALDF | \$625 | \$375.00 |
| 11/16/2018 | Alicia Calzada | 0.7 | Communicate with Mr. Osterreicher and Mr. Schulz about affiants and plaintiffs in Texas drone lawsuit. | \$425 | \$297.50 |
| 11/16/2018 | Alicia Calzada | 0.2 | Communicate with editor of Texas newspaper about affidavits in Texas drone lawsuit. | \$425 | \$85.00 |
| 11/16/2018 | Mickey Osterreicher | 0.7 | Email/TC w/ AWC | \$550 | \$385.00 |
| 11/25/2018 | Joseph Burson | 0.8 | Research on viewpoint discrimination/speaker-based distinctions | \$145 | \$116.00 |
| 11/26/2018 | L. Brueckner | 1.2 | Review and circulate Texas Drone retainer and co-counsel agreements | \$625 | \$750.00 |
| 12/3/2018 | L. Brueckner | 3.0 | Revise Texas Drone complaint; miscellaneous emails re preemption | \$625 | \$1,875.00 |
| 12/4/2018 | Alicia Calzada | 1.0 | Meet with co-counsel to discuss draft of complaint in Texas Drone lawsuit. | \$425 | \$425.00 |
| 12/4/2018 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 12/4/2018 | L. Brueckner | 2.5 | Conference call with Texas Drone team; redline edits to draft complaint | \$625 | \$1,562.50 |
| 12/5/2018 | Alicia Calzada | 0.4 | Review latest draft of Texas Drone Complaint | \$425 | \$170.00 |
| 12/5/2018 | Mickey Osterreicher | 0.4 | Review/revise draft complaint | \$550 | \$220.00 |
| 12/6/2018 | Alicia Calzada | 0.6 | Continue review of latest draft complaint in Texas Drone lawsuit. | \$425 | \$255.00 |
| 12/6/2018 | Mickey Osterreicher | 0.6 | Review/revise draft complaint | \$550 | \$330.00 |
| 12/6/2018 | L. Brueckner | 2.1 | Edits to revised Texas Drone complaint | \$625 | \$1,312.50 |
| 12/7/2018 | Alicia Calzada | 3.3 | Continue review and insert comments and suggestions into Texas Drone Complaint draft. | \$425 | \$1,402.50 |
| 12/7/2018 | Mickey Osterreicher | 3.3 | Review/revise draft complaint | \$550 | \$1,815.00 |
| 12/10/2018 | Alicia Calzada | 0.5 | Communicate with Mr. Osterreicher about drone lawsuit. | \$425 | \$212.50 |
| 12/10/2018 | Mickey Osterreicher | 0.5 | Email/TC w/ AWC | \$550 | \$275.00 |
| 12/11/2018 | Alicia Calzada | 1.0 | Communicate via phone with co-counsel regarding draft complaint revisions in Texas drone lawsuit. | \$425 | \$425.00 |
| 12/11/2018 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 12/11/2018 | L. Nicholls | 0.6 | Texas drones: team call | \$475 | \$285.00 |
| 12/21/2018 | Isabel Farhi | 1.0 | Edit complaint | \$145 | \$145.00 |
| 1/8/2019 | Alicia Calzada | 0.5 | Communicate with co-counsel on Texas drone lawsuit updates and pending questions on complaint and affidavits. | \$425 | \$212.50 |
| 1/8/2019 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 1/9/2019 | Alicia Calzada | 0.5 | Participate in call on draft complaint in Texas drone lawsuit | \$425 | \$212.50 |
| 1/9/2019 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |

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|-----------|---------------------|-----|--|-------|------------|
| 1/9/2019 | L. Brueckner | 0.8 | Texas drone conference call | \$625 | \$500.00 |
| 1/23/2019 | L. Brueckner | 2.0 | Edits to Texas drone complaint | \$625 | \$1,250.00 |
| 1/23/2019 | Joseph Burson | 0.6 | Research on no-fly provisions as content-based restrictions on speech | \$145 | \$87.00 |
| 1/25/2019 | Joseph Burson | 0.8 | Research on no-fly provisions as content-based restrictions on speech | \$145 | \$116.00 |
| 1/26/2019 | Joseph Burson | 0.4 | Research on standing to challenge content-based exemptions to broad prohibitions | \$145 | \$58.00 |
| 1/28/2019 | Alicia Calzada | 0.9 | Draft affidavits for Dallas Morning News affiants for Texas Drone Lawsuit | \$425 | \$382.50 |
| 1/28/2019 | Alicia Calzada | 0.7 | Communicate with Mr. Osterreicher and representatives of drone company to discuss pre-emption section of Ch. 423 for possible carve out from Texas Drone lawsuit. | \$425 | \$297.50 |
| 1/28/2019 | Mickey Osterreicher | 0.7 | Email/TC w/ AWC | \$550 | \$385.00 |
| 1/29/2019 | L. Brueckner | 2.0 | Call with Texas Drone team re strategy and complaint | \$625 | \$1,250.00 |
| 1/29/2019 | L. Nicholls | 0.5 | Texas drones: team call | \$475 | \$237.50 |
| 1/30/2019 | L. Brueckner | 2.4 | Continue work on Texas Drone memo and revisions to complaint | \$625 | \$1,500.00 |
| 1/30/2019 | L. Brueckner | 2.6 | Review draft agreements in Texas Drone and revisions to same; correspondence re same | \$625 | \$1,625.00 |
| 1/30/2019 | Joseph Burson | 1.3 | Edit draft complaint | \$145 | \$188.50 |
| 2/2/2019 | Wendy Serra | 5.0 | Review and revise complaint | \$145 | \$725.00 |
| 2/8/2019 | Alicia Calzada | 2.8 | Texas drone lawsuit: review memos on proper defendants; review comments about facts related to news gathering; review memo on venue; review draft complaint from January 23. | \$425 | \$1,190.00 |
| 2/8/2019 | Mickey Osterreicher | 2.8 | Review/revise draft complaint | \$550 | \$1,540.00 |
| 2/8/2019 | Joseph Burson | 0.8 | Reviewing edits to no-fly provision first amendment section of complaint and researching/proposing changes. | \$145 | \$116.00 |
| 2/9/2019 | Joseph Burson | 1.0 | Research on sovereign immunity in Flores v. Texas | \$145 | \$145.00 |
| 2/10/2019 | Joseph Burson | 0.7 | Research on waivers of sovereign immunity | \$145 | \$101.50 |
| 2/11/2019 | Alicia Calzada | 4.9 | Texas drone lawsuit: Review and make suggested revisions to most recent draft of Complaint. | \$425 | \$2,082.50 |
| 2/11/2019 | Mickey Osterreicher | 4.9 | Review/revise draft complaint | \$550 | \$2,695.00 |
| 2/11/2019 | Joseph Burson | 1.5 | Research on Texas law waiving sovereign immunity | \$145 | \$217.50 |
| 2/12/2019 | Alicia Calzada | 1.3 | Texas drone lawsuit: Review Mr. Osterreicher's revisions to the complaint and communicate with him on same. | \$425 | \$552.50 |
| 2/12/2019 | Mickey Osterreicher | 1.3 | Email/TC w/ AWC | \$550 | \$715.00 |
| 2/12/2019 | L. Nicholls | 0.6 | Texas drones: Weekly team call re progress toward filing | \$475 | \$285.00 |
| 2/12/2019 | Joseph Burson | 0.7 | Editing allegations relevant to O'Brien analysis | \$145 | \$101.50 |
| 2/13/2019 | Alicia Calzada | 0.9 | Texas drone lawsuit- phone call with Plaintiff Pappalardo for update on status of case; follow up on his updates with co-counsel. | \$425 | \$382.50 |
| 2/15/2019 | L. Brueckner | 2.8 | Prepare for Texas Drone conference call; call with Taylor at Yale re preemption issues; participate in conference call; research re preemption issues | \$625 | \$1,750.00 |
| 2/18/2019 | Alicia Calzada | 0.5 | Texas drone lawsuit- review and communicate on standing allegations and draft. | \$425 | \$212.50 |
| 2/18/2019 | Mickey Osterreicher | 0.5 | Review/revise draft complaint | \$550 | \$275.00 |

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|-----------|---------------------|-----|--|-------|----------|
| 2/18/2019 | Edgar Morris | 0.5 | Researching No-Fly preemption argument | \$145 | \$72.50 |
| 2/19/2019 | L. Nicholls | 0.6 | Texas drones: Conflict Check | \$475 | \$285.00 |
| 2/19/2019 | Wendy Serra | 2.0 | Draft memorandum on inclusion of Texas Attorney General as a party in a case challenging constitutionality of a Texas statute | \$145 | \$290.00 |
| 2/23/2019 | Joseph Burson | 1.0 | Research organizational standing | \$145 | \$145.00 |
| 2/24/2019 | Joseph Burson | 2.4 | Research organizational standing | \$145 | \$348.00 |
| 2/25/2019 | L. Brueckner | 1.2 | Revise complaint for Texas Drone case | \$625 | \$750.00 |
| 2/26/2019 | Alicia Calzada | 0.8 | Texas drone lawsuit- participate in phone meeting on updates related to Texas drone lawsuit. | \$425 | \$340.00 |
| 2/26/2019 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 2/26/2019 | L. Nicholls | 0.8 | Drones team call & follow-up email | \$475 | \$380.00 |
| 2/26/2019 | Joseph Burson | 0.3 | Drafting email to NPPA on standing | \$145 | \$43.50 |
| 2/26/2019 | Wendy Serra | 4.0 | Research and draft memo on associational standing | \$145 | \$580.00 |
| 2/27/2019 | Alicia Calzada | 1.7 | Texas drone lawsuit- review opinion, concurrence and dissent in Texas high court opinion on law held unconstitutional on its face implicating the First Amendment. | \$425 | \$722.50 |
| 2/27/2019 | Mickey Osterreicher | 1.7 | Research | \$550 | \$935.00 |
| 3/4/2019 | Alicia Calzada | 0.4 | Texas Drone lawsuit- Review co-counsel agreement and make suggested revisions. | \$425 | \$170.00 |
| 3/4/2019 | Mickey Osterreicher | 0.4 | Review & revise co-counsel agreement | \$550 | \$220.00 |
| 3/5/2019 | Alicia Calzada | 0.7 | Texas drone lawsuit; communicate with MFIA on NPPA organizational standing; participate in phone call on same. | \$425 | \$297.50 |
| 3/5/2019 | Mickey Osterreicher | 0.7 | Email/TC w/co-counsel | \$550 | \$385.00 |
| 3/10/2019 | Joseph Burson | 1.3 | Standing research - injury in fact | \$145 | \$188.50 |
| 3/12/2019 | Joseph Burson | 1.5 | Standing research - injury in fact | \$145 | \$217.50 |
| 3/13/2019 | Edgar Morris | 1.0 | Drafting email to Texas Press Association about organizational standing. | \$145 | \$145.00 |
| 3/18/2019 | Alicia Calzada | 0.5 | Texas drone lawsuit- Communicate with MFIA clinic members on Texas Press Association standing questions and recommended language on NPPA standing allegations. | \$425 | \$212.50 |
| 3/18/2019 | Alicia Calzada | 0.7 | Texas drone lawsuit- communicate with affiants about times to talk via phone with MFIA for factual questions. | \$425 | \$297.50 |
| 3/18/2019 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 3/18/2019 | Wendy Serra | 4.0 | Research and draft memo on Fifth Circuit First Amendment standing precedent | \$145 | \$580.00 |
| 3/19/2019 | Alicia Calzada | 1.1 | Texas drone lawsuit- communicate via phone with Plaintiff Pappalardo and MFIA about factual allegations; finalize NPPA standing allegations. | \$425 | \$467.50 |
| 3/19/2019 | Alicia Calzada | 0.5 | Participate in conference call on status of complaint in Texas Drone law challenge. | \$425 | \$212.50 |
| 3/19/2019 | Mickey Osterreicher | 1.1 | Email/TC w/co-counsel | \$550 | \$605.00 |
| 3/19/2019 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 3/19/2019 | L. Brueckner | 1.4 | TX drone rs and call | \$625 | \$875.00 |
| 3/20/2019 | Alicia Calzada | 0.7 | Texas Drone lawsuit- meet via phone with affiant Brandon Wade to discuss facts and send follow-up email. | \$425 | \$297.50 |

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| 3/20/2019 | Alicia Calzada | 0.6 | Texas drone lawsuit- Meet with Affiant to discuss facts in affidavit and complaint. | \$425 | \$255.00 |
| 3/20/2019 | Wendy Serra | 0.5 | Phone call with G. Calzada to update affidavit. | \$145 | \$72.50 |
| 3/22/2019 | Edgar Morris | 1.5 | Performed research to help determine whether one of our clients has individual standing. | \$145 | \$217.50 |
| 3/25/2019 | Joseph Burson | 1.4 | Drafting standing memo (organizational standing section) | \$145 | \$203.00 |
| 3/26/2019 | Edgar Morris | 4.0 | Draft memorandum assessing standing of separate clients | \$145 | \$580.00 |
| 3/27/2019 | Alicia Calzada | 0.5 | Communicate with members and leaders about drone lawsuit. | \$425 | \$212.50 |
| 4/1/2019 | Joseph Burson | 2.0 | Revise standing memo | \$145 | \$290.00 |
| 4/2/2019 | Alicia Calzada | 0.6 | Drone lawsuit- call with Plaintiff representative Donnis Baggett and MFIA. | \$425 | \$255.00 |
| 4/2/2019 | L. Brueckner | 1.0 | Texas Drone conference call | \$625 | \$625.00 |
| 4/4/2019 | L. Brueckner | 1.3 | Call with Dustin Benham re Texas Drone local counsel; email to team re same | \$625 | \$812.50 |
| 4/5/2019 | Alicia Calzada | 0.3 | In Texas Drone lawsuit, communicate with MFIA and Mr. Osterreicher about new local counsel. | \$425 | \$127.50 |
| 4/5/2019 | Mickey Osterreicher | 0.3 | Email/TC w/ AWC | \$550 | \$165.00 |
| 4/8/2019 | L. Brueckner | 0.6 | Emails re Texas Drone local counsel | \$625 | \$375.00 |
| 4/8/2019 | Edgar Morris | 2.0 | Updating draft affidavit and standing memo following conversations with clients | \$145 | \$290.00 |
| 4/8/2019 | Joseph Burson | 0.5 | Edit Wade Affidavit | \$145 | \$72.50 |
| 4/9/2019 | Alicia Calzada | 0.2 | In Texas drone lawsuit, participate in conference call with co-counsel on possible new local counsel. | \$425 | \$85.00 |
| 4/9/2019 | Mickey Osterreicher | 0.2 | Email/TC w/co-counsel | \$550 | \$110.00 |
| 4/15/2019 | Alicia Calzada | 0.8 | For Texas drone lawsuit, communicate via phone with two photographers who use drones for journalism in Texas to discuss possible participation as affiants. | \$425 | \$340.00 |
| 4/16/2019 | Alicia Calzada | 3.9 | For Texas drone lawsuit, review a dozen pending bills in Texas legislature that would impact the Texas drone law challenge and claims asserted, analyze bills and report findings to co-counsel. | \$425 | \$1,657.50 |
| 4/16/2019 | Joseph Burson | 0.5 | Edit standing allegations in complaint | \$145 | \$72.50 |
| 4/16/2019 | Joseph Burson | 0.6 | Assemble filing packet | \$145 | \$87.00 |
| 4/16/2019 | Joseph Burson | 1.8 | Researching service of process against state officers in their official capacities in the Fifth Circuit | \$145 | \$261.00 |
| 4/17/2019 | Joseph Burson | 0.3 | Assemble filing packet | \$145 | \$43.50 |
| 4/20/2019 | Wendy Serra | 1.0 | Drafted Texas Attorney General form, and civil cover sheet. | \$145 | \$145.00 |
| 4/22/2019 | Alicia Calzada | 0.5 | Communicate with MFIA about drone lawsuit (30 min). | \$425 | \$212.50 |
| 4/22/2019 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 4/22/2019 | L. Brueckner | 0.8 | Texas Drone call | \$625 | \$500.00 |
| 4/30/2019 | Alicia Calzada | 0.5 | Communicate with DJI on Texas drone legislation in relation to lawsuit. | \$425 | \$212.50 |
| 4/30/2019 | Mickey Osterreicher | 0.5 | Email f/t TX Drone Community Reps | \$550 | \$275.00 |
| 5/21/2019 | Alicia Calzada | 0.3 | Communicate with lobbyists from other organizations about drone bill in Texas as it relates to lawsuit. | \$425 | \$127.50 |
| 5/21/2019 | Mickey Osterreicher | 0.3 | Email f/t TX Drone Community Reps | \$550 | \$165.00 |

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| 6/14/2019 | L. Nicholls | 0.6 | Call re status of CD/SPC & Texas drones case | \$475 | \$285.00 |
| 6/24/2019 | Alicia Calzada | 0.7 | Research results of Texas legislative session as it relates to Ch. 423 the drone law; communicate with Yale clinic about results of legislature and drone lawsuit. | \$425 | \$297.50 |
| 7/15/2019 | Alicia Calzada | 0.1 | Review Texas drone bill analysis. | \$425 | \$42.50 |
| 7/15/2019 | Mickey Osterreicher | 0.2 | Review/revise draft complaint | \$550 | \$110.00 |
| 7/22/2019 | Alicia Calzada | 0.5 | Communicate with Mr. Osterreicher about next steps in Texas drone lawsuit. | \$425 | \$212.50 |
| 7/22/2019 | Mickey Osterreicher | 0.5 | Email/TC w/ AWC | \$550 | \$275.00 |
| 8/8/2019 | L. Nicholls | 0.5 | Texas Drones: Reviewing notes on changes made by the amendments & refreshing memory re complaint | \$475 | \$237.50 |
| 8/9/2019 | Alicia Calzada | 0.5 | Communicate with Mr. Osterreicher about Texas drone ch. 423 lawsuit strategy and participate in conference call with co-counsel on upcoming filing plans. | \$425 | \$212.50 |
| 8/9/2019 | Mickey Osterreicher | 0.5 | Email/TC w/ AWC | \$550 | \$275.00 |
| 8/9/2019 | L. Nicholls | 0.8 | Texas Drones: Call with team re moving forward now that we have local counsel & follow up emails & notes | \$475 | \$380.00 |
| 8/9/2019 | Jim Hemphill | 0.5 | Group conference call regarding strategy and logistical issues; | \$575 | \$287.50 |
| 8/22/2019 | L. Nicholls | 0.7 | Texas Drones: Call with NPPA re roles in the case & follow-up email | \$475 | \$332.50 |
| 8/22/2019 | Jim Hemphill | 1.1 | Review draft complaint and co-counsel agreement and comments on same; | \$575 | \$632.50 |
| 9/9/2019 | Alicia Calzada | 4.8 | Review and make revisions to current version of draft complaint in Texas Drone ch. 423 lawsuit, communicate with Mr. Osterreicher on same. | \$425 | \$2,040.00 |
| 9/9/2019 | Alicia Calzada | 0.3 | Review co-counsel agreement for Texas drone Ch. 423 lawsuit. | \$425 | \$127.50 |
| 9/9/2019 | Mickey Osterreicher | 4.8 | Review/revise draft complaint | \$550 | \$2,640.00 |
| 9/9/2019 | Mickey Osterreicher | 0.3 | Email/TC w/ AWC | \$550 | \$165.00 |
| 9/10/2019 | Alicia Calzada | 1.5 | Participate in call with co-counsel on TX Drone Ch. 423 lawsuit; continue review of retainer agreement for same. | \$425 | \$637.50 |
| 9/10/2019 | Mickey Osterreicher | 1.5 | Email/TC w/co-counsel | \$550 | \$825.00 |
| 9/10/2019 | L. Brueckner | 1.8 | prep for TX drone call with team and participate in weekly conference call | \$625 | \$1,125.00 |
| 9/10/2019 | Jim Hemphill | 1.4 | Prepare for and participate in team conference call; | \$575 | \$805.00 |
| 9/11/2019 | Alicia Calzada | 0.5 | Communicate with Mr. Osterreicher about drone lawsuit. | \$425 | \$212.50 |
| 9/11/2019 | Mickey Osterreicher | 0.5 | Email/TC w/ AWC | \$550 | \$275.00 |
| 9/12/2019 | Joseph Burson | 3.3 | Revise draft complaint | \$145 | \$478.50 |
| 9/13/2019 | Alicia Calzada | 1.6 | Participate in meeting with Public Justice and affiant Brandon Wade regarding publicity on Ch. 423 drone lawsuit; participate in meeting with Public Justice PR and fellow plaintiff Joe Pappalardo regarding publicity on drone lawsuit. | \$425 | \$680.00 |
| 9/16/2019 | Alicia Calzada | 1.0 | Communicate with team on remaining action items for filing Texas drone lawsuit challenging Ch. 423; revise disclosure statements for TPA and NPPA for same. | \$425 | \$425.00 |
| 9/16/2019 | Alicia Calzada | 1.8 | Review and revise draft press release regarding Drone lawsuit; make additional revisions to complaint. | \$425 | \$765.00 |
| 9/16/2019 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |

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| 9/16/2019 | Mickey Osterreicher | 1.5 | Review & revise draft press release | \$550 | \$825.00 |
| 9/16/2019 | Joseph Burson | 1.3 | Edit and review filing documents. | \$145 | \$188.50 |
| 9/17/2019 | L. Nicholls | 0.5 | Texas Drones (NPPA v. McCraw): Call with team re final details for filings | \$475 | \$237.50 |
| 9/17/2019 | L. Nicholls | 1.1 | Texas Drones (NPPA v. McCraw): Reviewing final docs to be filed & adding signature block to complaint | \$475 | \$522.50 |
| 9/17/2019 | Jim Hemphill | 0.5 | Participate in team conference call; | \$575 | \$287.50 |
| 9/19/2019 | Alicia Calzada | 0.8 | Communicate with Brandon Wade about draft facts in Texas Drone lawsuit; communicate with plaintiff Joe Pappalardo about draft. | \$425 | \$340.00 |
| 9/22/2019 | Alicia Calzada | 2.0 | Final read-through and suggested edits of Complaint in Texas Drone Law/ Ch. 423 Complaint. | \$425 | \$850.00 |
| 9/22/2019 | Mickey Osterreicher | 2.0 | Review/revise draft complaint | \$550 | \$1,100.00 |
| 9/23/2019 | Alicia Calzada | 0.9 | Review changes to Texas drone lawsuit complaint and forward to team. | \$425 | \$382.50 |
| 9/23/2019 | Mickey Osterreicher | 0.5 | Review/revise draft complaint | \$550 | \$275.00 |
| 9/24/2019 | Alicia Calzada | 1.1 | Call with litigation team in Ch. 423 Texas Drone lawsuit. | \$425 | \$467.50 |
| 9/24/2019 | Mickey Osterreicher | 1.1 | Email/TC w/co-counsel | \$550 | \$605.00 |
| 9/24/2019 | L. Nicholls | 0.9 | Texas drones (NPPA v. McCraw): Team call re final filing logistics | \$475 | \$427.50 |
| 9/24/2019 | Jim Hemphill | 0.1 | Participate in conference call; | \$575 | \$57.50 |
| 9/25/2019 | Jim Hemphill | 1.6 | Review final draft of complaint and work on revisions to formatting and related issues; | \$575 | \$920.00 |
| 9/26/2019 | L. Nicholls | 0.7 | Texas Drones (NPPA v. McCraw): pro hac motion | \$475 | \$332.50 |
| 9/26/2019 | Jim Hemphill | 0.9 | Finalize complaint and coordinate filing; | \$575 | \$517.50 |
| 9/28/2019 | Joseph Burson | 2.1 | Research likely grounds for motion to dismiss | \$145 | \$304.50 |
| 10/1/2019 | Timur Akman-Duffy | 0.5 | Reviewing and outlining facts for brief | \$145 | \$72.50 |
| 10/1/2019 | Timur Akman-Duffy | 1.4 | Drafting facts for opposition to motion to dismiss | \$145 | \$203.00 |
| 10/1/2019 | Timur Akman-Duffy | 0.7 | Finishing facts draft | \$145 | \$101.50 |
| 10/4/2019 | L. Nicholls | 0.3 | E-Filing form | \$475 | \$142.50 |
| 10/6/2019 | Alicia Calzada | 0.3 | Review questions about Texas Drone lawsuit. | \$425 | \$127.50 |
| 10/6/2019 | Mickey Osterreicher | 0.3 | Review/revise draft complaint | \$550 | \$165.00 |
| 10/8/2019 | Alicia Calzada | 0.8 | Ch. 423/ Texas Drone lawsuit call with co-counsel; send follow-up communications to legal team with evidence from legislative history. | \$425 | \$340.00 |
| 10/8/2019 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 10/8/2019 | Jim Hemphill | 0.6 | Participate in team conference call; | \$575 | \$345.00 |
| 10/11/2019 | Mickey Osterreicher | 0.3 | Email f/t TX Drone Community Reps | \$550 | \$165.00 |
| 10/14/2019 | Timur Akman-Duffy | 2.5 | Draft MTD outline for surveillance provisions and sov immunity arguments | \$145 | \$362.50 |
| 10/15/2019 | L. Nicholls | 0.1 | Finalizing e-filing registration | \$475 | \$47.50 |
| 10/17/2019 | Joseph Burson | 1.8 | Draft outline for opposition to motion to dismiss: standard of review and No-Fly vagueness sections. | \$145 | \$261.00 |
| 10/20/2019 | Joseph Burson | 2.6 | Draft outline of opposition to motion to dismiss | \$145 | \$377.00 |
| 10/20/2019 | Timur Akman-Duffy | 1.9 | Draft motion to dismiss opposition: Surveillance Provisions | \$145 | \$275.50 |

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| 10/21/2019 | Joseph Burson | 0.4 | Update discovery map | \$145 | \$58.00 |
| 10/21/2019 | Jim Hemphill | 1.6 | Communications with defendants' counsel regarding scheduling and related matters; Emails with team regarding same; First brief review of material regarding potential motion to dismiss issues; | \$575 | \$920.00 |
| 10/22/2019 | Alicia Calzada | 0.5 | Participate in litigation team meeting on Drone lawsuit, ch. 429. | \$425 | \$212.50 |
| 10/22/2019 | Alicia Calzada | 0.4 | Review op-ed of Brandon Wade in Texas drone ch. 423 lawsuit. | \$425 | \$170.00 |
| 10/22/2019 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 10/22/2019 | L. Nicholls | 0.5 | Team call re various litigation to-dos | \$475 | \$237.50 |
| 10/22/2019 | Jim Hemphill | 1.7 | Prepare for and participate in team conference call; | \$575 | \$977.50 |
| 10/23/2019 | Joseph Burson | 0.7 | Edit standing memorandum | \$145 | \$101.50 |
| 10/25/2019 | Alicia Calzada | 0.3 | Communicate with Mr. Osterreicher about drone lawsuit. | \$425 | \$127.50 |
| 10/25/2019 | Mickey Osterreicher | 0.3 | Email/TC w/ AWC | \$550 | \$165.00 |
| 10/27/2019 | Joseph Burson | 1.0 | Draft preemption section of brief | \$145 | \$145.00 |
| 10/28/2019 | Joseph Burson | 0.7 | Draft vagueness section of motion to dismiss | \$145 | \$101.50 |
| 10/30/2019 | Joseph Burson | 0.8 | Draft vagueness section of motion to dismiss | \$145 | \$116.00 |
| 10/30/2019 | Timur Akman-Duffy | 1.2 | Review and revise motion to dismiss | \$145 | \$174.00 |
| 11/4/2019 | Joseph Burson | 0.4 | Revise draft of motion to dismiss--vagueness section | \$145 | \$58.00 |
| 11/4/2019 | Joseph Burson | 0.2 | Revise section on First Amendment and No-Fly Provisions | \$145 | \$29.00 |
| 11/4/2019 | Timur Akman-Duffy | 1.8 | Review and revise motion to dismiss | \$145 | \$261.00 |
| 11/5/2019 | Jim Hemphill | 0.7 | Brief initial review of defendants' motion to dismiss; | \$575 | \$402.50 |
| 11/6/2019 | Jim Hemphill | 0.6 | Review motion to dismiss and notes on same; | \$575 | \$345.00 |
| 11/7/2019 | Alicia Calzada | 1.0 | Review Motion to dismiss in Texas Drone law challenge and make notes | \$425 | \$425.00 |
| 11/7/2019 | Mickey Osterreicher | 1.0 | Review MTD | \$550 | \$550.00 |
| 11/7/2019 | L. Nicholls | 1.6 | Careful read of MTD, in conjunction with Dave's notes and Yale outline | \$475 | \$760.00 |
| 11/7/2019 | L. Nicholls | 0.7 | Call with East re Opp to MTD, etc | \$475 | \$332.50 |
| 11/7/2019 | L. Nicholls | 0.6 | Call with team re responding to MTD | \$475 | \$285.00 |
| 11/7/2019 | L. Nicholls | 0.2 | Emailing Yale folks about substantive notes from Dave | \$475 | \$95.00 |
| 11/7/2019 | Jim Hemphill | 1.9 | Detailed review of, and notes on, dismissal motion, and prepare and participate in team conference call to discuss strategy to respond to same; | \$575 | \$1,092.50 |
| 11/8/2019 | L. Nicholls | 1.7 | Standing section of opp to MTD | \$475 | \$807.50 |
| 11/8/2019 | L. Nicholls | 2.2 | Reviewing complaint & relevant authorities to see whether it makes sense to amend | \$475 | \$1,045.00 |
| 11/8/2019 | L. Nicholls | 0.5 | Meeting with Rodolfo re Texas Drones standing section | \$475 | \$237.50 |
| 11/10/2019 | Alicia Calzada | 0.7 | Participate in NPPA executive committee meeting to provide update drone lawsuit and other matters. | \$425 | \$297.50 |
| 11/10/2019 | Mickey Osterreicher | 0.7 | TC/ w/ NPPA EC | \$550 | \$385.00 |
| 11/10/2019 | Joseph Burson | 2.4 | Draft motion to dismiss opposition re First Amendment application to No-Fly Provisions. | \$145 | \$348.00 |
| 11/10/2019 | David Schulz | 3.1 | Review and revise memorandum in opposition to motion to dismiss. | \$625 | \$1,937.50 |
| 11/11/2019 | Joseph Burson | 1.2 | Continue to draft MTD opposition re First Amendment application to No-Fly Provisions. | \$145 | \$174.00 |

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| 11/12/2019 | L. Nicholls | 0.2 | email with team re plan for drafting | \$475 | \$95.00 |
| 11/12/2019 | Timur Akman-Duffy | 1.3 | Draft First Amendment application to surveillance provisions | \$145 | \$188.50 |
| 11/13/2019 | L. Nicholls | 3.5 | organizational Havens standing research (5th Cir specific) re Opp to MTD | \$475 | \$1,662.50 |
| 11/13/2019 | L. Nicholls | 1.0 | organizational Havens standing sections of opp to MTD | \$475 | \$475.00 |
| 11/13/2019 | Jim Hemphill | 0.9 | Communicate with opposing counsel regarding motion for extension of time for filing opposition to motion to dismiss, and draft and prepare same for filing; | \$575 | \$517.50 |
| 11/14/2019 | L. Nicholls | 4.5 | organizational Havens standing sections of opp to MTD | \$475 | \$2,137.50 |
| 11/14/2019 | Jim Hemphill | 0.2 | Emails regarding interest in case by potential intervenors; | \$575 | \$115.00 |
| 11/15/2019 | L. Nicholls | 2.7 | Opp to MTD: Redressability/traceability & related research | \$475 | \$1,282.50 |
| 11/15/2019 | L. Nicholls | 1.6 | MTD Opp: TPA Standing | \$475 | \$760.00 |
| 11/16/2019 | L. Nicholls | 0.7 | Opp to MTD: First look at Rodolfo's draft of Pappalardo and NPPA associational standing sections | \$475 | \$332.50 |
| 11/17/2019 | Joseph Burson | 1.6 | Revise opposition to motion to dismiss--Surveillance Provisions section | \$145 | \$232.00 |
| 11/17/2019 | Timur Akman-Duffy | 2.5 | Edit Response to motion to dismiss | \$145 | \$362.50 |
| 11/18/2019 | L. Nicholls | 2.6 | MTD Opp: Review and edit of Rodolfo's standing sections re individual chill | \$475 | \$1,235.00 |
| 11/19/2019 | Alicia Calzada | 0.5 | Phone meeting with co-counsel to discuss potential intervening plaintiff and response to 12(b)(6) motion to dismiss in Texas Drone lawsuit challenge to Ch. 423. | \$425 | \$212.50 |
| 11/19/2019 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 11/19/2019 | L. Nicholls | 4.4 | MTD Opp: Review and edit of Rodolfo's standing sections re individual chill & incorporating remainder of standing section | \$475 | \$2,090.00 |
| 11/19/2019 | L. Nicholls | 0.9 | Call with team re status of draft opposition and potential additional party and potential amici & follow-up discussion with Rodolfo | \$475 | \$427.50 |
| 11/19/2019 | Jim Hemphill | 1.7 | Prepare for and participate in team conference call; | \$575 | \$977.50 |
| 11/21/2019 | Joseph Burson | 4.7 | Revise opposition to motion to dismiss | \$145 | \$681.50 |
| 11/21/2019 | Timur Akman-Duffy | 2.7 | Further edits to opposition to motion to dismiss | \$145 | \$391.50 |
| 11/25/2019 | Alicia Calzada | 0.3 | Communicate with Mr. Osterreicher about drone lawsuit brief. | \$425 | \$127.50 |
| 11/25/2019 | Alicia Calzada | 0.2 | Review memo in opposition to motion to dismiss in Texas drone lawsuit challenging ch. 423. | \$425 | \$85.00 |
| 11/25/2019 | Mickey Osterreicher | 0.3 | Email/TC w/ AWC | \$550 | \$165.00 |
| 11/25/2019 | Mickey Osterreicher | 0.2 | Review/revise MTD memo | \$550 | \$110.00 |
| 11/25/2019 | Jim Hemphill | 7.5 | Work on edits/suggestions to opposition to motion to dismiss; | \$575 | \$4,312.50 |
| 11/26/2019 | Alicia Calzada | 2.4 | Make suggested revisions to memo in opposition to motion to dismiss in Texas drone lawsuit challenging ch. 423. | \$425 | \$1,020.00 |
| 11/26/2019 | Mickey Osterreicher | 2.4 | Review/revise MTD memo | \$550 | \$1,320.00 |
| 11/26/2019 | L. Nicholls | 4.8 | Review and edits to full draft of Opp to MTD | \$475 | \$2,280.00 |
| 11/26/2019 | Jim Hemphill | 3.5 | Work on edits/suggestions to draft motion to dismiss and transmit to team; | \$575 | \$2,012.50 |
| 11/27/2019 | Alicia Calzada | 0.7 | Continue review and communicate on response to motion to dismiss in Texas drone lawsuit challenging ch. 423. | \$425 | \$297.50 |

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| 11/27/2019 | Mickey Osterreicher | 0.7 | Review/revise MTD memo | \$550 | \$385.00 |
| 11/28/2019 | Alicia Calzada | 0.5 | Communicate with MFIA and Plaintiff Pappalardo about Texas Ch. 423 drone lawsuit response to motion to dismiss. | \$425 | \$212.50 |
| 11/29/2019 | David Schulz | 3.4 | Review and revise opposition to motion to dismiss | \$625 | \$2,125.00 |
| 12/2/2019 | Alicia Calzada | 2.5 | Review and suggest revisions to TX Drone law Response to Motion to Dismiss. ch. 423 | \$425 | \$1,062.50 |
| 12/2/2019 | Mickey Osterreicher | 2.0 | Review/revise MTD memo | \$550 | \$1,100.00 |
| 12/2/2019 | L. Nicholls | 1.7 | Opp to MTD | \$475 | \$807.50 |
| 12/2/2019 | Timur Akman-Duffy | 4.5 | Edits/cite check: Final opposition to motion to dismiss | \$145 | \$652.50 |
| 12/2/2019 | David Schulz | 1.8 | Final revisions to motion to dismiss | \$625 | \$1,125.00 |
| 12/2/2019 | Jim Hemphill | 1.1 | Review and comment on latest draft of response to motion to dismiss; | \$575 | \$632.50 |
| 12/3/2019 | Alicia Calzada | 0.3 | Ch. 423 drone lawsuit phone meeting with co-counsel. | \$425 | \$127.50 |
| 12/3/2019 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 12/3/2019 | L. Nicholls | 0.6 | Responding to cite-check questions on standing section | \$475 | \$285.00 |
| 12/3/2019 | L. Nicholls | 0.1 | Check-in call with team | \$475 | \$47.50 |
| 12/3/2019 | Jim Hemphill | 2.1 | Draft and file motion for leave to exceed page limits; Finalize and file response to motion to dismiss; | \$575 | \$1,207.50 |
| 12/9/2019 | Alicia Calzada | 0.2 | Communicate about potential amici in Texas Drone law challenge. | \$425 | \$85.00 |
| 12/9/2019 | Mickey Osterreicher | 0.2 | Email/TC w/co-counsel | \$550 | \$110.00 |
| 12/12/2019 | L. Nicholls | 0.5 | Team call re amicus & follow-up with Rodolfo | \$475 | \$237.50 |
| 12/17/2019 | Alicia Calzada | 0.4 | Review potential amicus brief proposals in Ch. 423 Texas drone law challenge. | \$425 | \$170.00 |
| 12/17/2019 | Mickey Osterreicher | 0.4 | Email/TC w/ amici | \$550 | \$220.00 |
| 12/19/2019 | Alicia Calzada | 1.0 | Review Reply to Response to Motion to dismiss in Texas drone lawsuit. | \$425 | \$425.00 |
| 12/19/2019 | Mickey Osterreicher | 1.0 | Review/revise MTD memo | \$550 | \$550.00 |
| 12/20/2019 | Alicia Calzada | 0.6 | Phone meeting with Texas drone lawsuit legal team to discuss gov't Reply brief in motion to dismiss, and potential amicus briefs. | \$425 | \$255.00 |
| 12/20/2019 | Alicia Calzada | 0.6 | Review amicus brief outline in Texas Drone lawsuit for factual questions. | \$425 | \$255.00 |
| 12/20/2019 | Mickey Osterreicher | 0.6 | Email/TC w/co-counsel | \$550 | \$330.00 |
| 12/20/2019 | Mickey Osterreicher | 0.6 | Email/TC w/ amici | \$550 | \$330.00 |
| 12/20/2019 | L. Nicholls | 0.3 | Reading the two reply briefs ISO the MTD | \$475 | \$142.50 |
| 12/20/2019 | L. Nicholls | 0.5 | Team call re reply briefs ISO MTD | \$475 | \$237.50 |
| 12/22/2019 | Joseph Burson | 2.1 | Research Ex parte Young and sovereign immunity | \$145 | \$304.50 |
| 12/28/2019 | David Schulz | 0.8 | Review research on Ex Parte Young for reply memorandum | \$625 | \$500.00 |
| 12/30/2019 | Alicia Calzada | 1.3 | Review Sur-reply in Texas drone lawsuit and relevant case law. | \$425 | \$552.50 |
| 12/30/2019 | Mickey Osterreicher | 1.3 | Review/revise Sur-reply | \$550 | \$715.00 |
| 12/30/2019 | L. Nicholls | 0.7 | Initial high-level read through of sur-reply ISO opp to MTD | \$475 | \$332.50 |
| 12/30/2019 | L. Nicholls | 0.7 | Editing sur-reply ISO opp to MTD | \$475 | \$332.50 |

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| 12/30/2019 | Jim Hemphill | 5.1 | Work on researching and completing first draft of surreply on Ex parte Young issues; Transmit draft to team for further drafting and review; Consult with opposing counsel on motion for leave to file; | \$575 | \$2,932.50 |
| 12/31/2019 | L. Nicholls | 0.3 | Editing sur-reply ISO opp to MTD | \$475 | \$142.50 |
| 12/31/2019 | Jim Hemphill | 1.0 | Work on revisions to surreply in opposition to motion to dismiss; | \$575 | \$575.00 |
| 1/2/2020 | Jim Hemphill | 2.3 | Revisions to surreply and motion for leave to file same and prepare same for filing; | \$575 | \$1,322.50 |
| 1/10/2020 | Mickey Osterreicher | 0.4 | Email/TC w/co-counsel | \$550 | \$220.00 |
| 1/10/2020 | Jim Hemphill | 1.8 | Review court order regarding filing of proposed scheduling order; Telephone conference with C. Hilton from AG's office regarding same; Email to team regarding same; Review files to determine whether firm has filed contingentscheduling orders under similar circumstances in Judge Pitman's court; | \$575 | \$1,035.00 |
| 1/13/2020 | Mickey Osterreicher | 0.6 | Email/TC w/co-counsel | \$550 | \$330.00 |
| 1/16/2020 | Jim Hemphill | 1.3 | Revise and file proposed docket control order and emails with opposing counsel and team regarding same; | \$575 | \$747.50 |
| 1/26/2020 | Emily Wang | 0.8 | Outline facts needed to identify areas for discovery | \$145 | \$116.00 |
| 1/27/2020 | Mickey Osterreicher | 0.4 | Email/TC w/co-counsel | \$550 | \$220.00 |
| 1/27/2020 | Emily Wang | 0.8 | Draft outline of issues of material fact in order to determine any need for discovery prior to moving for summary judgment | \$145 | \$116.00 |
| 1/27/2020 | Jim Hemphill | 0.4 | Communications among counsel regarding scheduling and related issues; | \$575 | \$230.00 |
| 1/29/2020 | L. Nicholls | 0.6 | Call with team re strategy for scheduling conference on 2/3 | \$475 | \$285.00 |
| 1/29/2020 | Joseph Burson | 1.1 | Draft letter notice of supplemental authority on standing | \$145 | \$159.50 |
| 1/29/2020 | Jim Hemphill | 0.4 | Conference call with team regarding upcoming hearing on scheduling; | \$575 | \$230.00 |
| 1/30/2020 | Jim Hemphill | 0.8 | Work on scheduling issues and preparation for upcoming phone hearing on trial date and related matters; | \$575 | \$460.00 |
| 1/31/2020 | Jim Hemphill | 0.2 | Emails regarding upcoming telephone conference with Court; | \$575 | \$115.00 |
| 2/3/2020 | L. Nicholls | 0.1 | Reviewing scheduling order | \$475 | \$47.50 |
| 2/3/2020 | Emily Wang | 2.1 | Revise outline of possible evidence needed in discovery | \$145 | \$304.50 |
| 2/3/2020 | Timur Akman-Duffy | 1.9 | Outline material facts for summary judgment motion | \$145 | \$275.50 |
| 2/3/2020 | Jim Hemphill | 0.8 | Prepare for and participate in phone conference with Court for trial scheduling and related matters; Follow up on same; | \$575 | \$460.00 |
| 2/9/2020 | Emily Wang | 1.0 | Research legislative history for HB 1424 and HB 1643 | \$145 | \$145.00 |
| 2/10/2020 | Joseph Burson | 0.3 | Research cases where state airspace/operational restrictions were preempted | \$145 | \$43.50 |
| 2/10/2020 | Joseph Burson | 0.3 | Revise letter notice of supplemental authority. | \$145 | \$43.50 |
| 2/11/2020 | Alicia Calzada | 0.5 | Review documents from MFIA team regarding Texas drone law challenge to Ch. 423. | \$425 | \$212.50 |
| 2/11/2020 | Mickey Osterreicher | 0.5 | Review/revise Sur-reply | \$550 | \$275.00 |
| 2/11/2020 | L. Nicholls | 0.4 | Reading relevant part of Texas v. US and related supplemental authority letter | \$475 | \$190.00 |
| 2/11/2020 | L. Nicholls | 0.5 | Team call re updates and next steps | \$475 | \$237.50 |
| 2/11/2020 | Jim Hemphill | 0.7 | Participate in team conference call; | \$575 | \$402.50 |

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| 2/19/2020 | Jim Hemphill | 0.9 | Office conference with M. Powers regarding potential notice of supplemental authority; Work on revisions to same; Review rules regarding law student appearances in court; | \$575 | \$517.50 |
| 2/20/2020 | Jim Hemphill | 0.1 | Email to team regarding filing of supplemental authority; | \$575 | \$57.50 |
| 2/24/2020 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 2/24/2020 | Jim Hemphill | 0.5 | Telephone conference with J. Burson & M. Powers regarding law student bar cards and related issues; | \$575 | \$287.50 |
| 2/27/2020 | Jim Hemphill | 0.2 | Finalize notice of supplemental authority for filing; | \$575 | \$115.00 |
| 3/2/2020 | Timur Akman-Duffy | 1.2 | Enforcement Research | \$145 | \$174.00 |
| 3/3/2020 | Timur Akman-Duffy | 1.0 | Researching common law privacy in TX | \$145 | \$145.00 |
| 3/6/2020 | Alicia Calzada | 0.7 | Review communications about additional legal challenge to Ch. 423 Texas drone statute (in state court in Victoria) and its impact on our lawsuit. | \$425 | \$297.50 |
| 3/6/2020 | L. Nicholls | 1.3 | Call with Sam Cole re his case and follow-up emails to team and Sam | \$475 | \$617.50 |
| 3/6/2020 | Jim Hemphill | 0.9 | Review state court case in which validity of drone restrictions is at issue, and emails with team regarding same; | \$575 | \$517.50 |
| 3/9/2020 | Alicia Calzada | 0.4 | Communicate with attorneys on new lawsuit challenging Ch. 423 in Texas Drone lawsuit. | \$425 | \$170.00 |
| 3/9/2020 | Mickey Osterreicher | 0.4 | Email/TC w/co-counsel | \$550 | \$220.00 |
| 3/9/2020 | L. Nicholls | 0.4 | Call re Kolle v K&K & what we should do about it | \$475 | \$190.00 |
| 3/9/2020 | Jim Hemphill | 0.5 | Emails regarding Texas state court case in which drone restrictions are challenged; | \$575 | \$287.50 |
| 3/10/2020 | Alicia Calzada | 2.6 | Review pleadings in relevant state court case and communicate with counsel about Texas procedural questions, for Texas Drone law ch. 423 challenge. | \$425 | \$1,105.00 |
| 3/10/2020 | Mickey Osterreicher | 2.2 | Research | \$550 | \$1,210.00 |
| 3/10/2020 | L. Nicholls | 0.5 | Kolle v. K&K: Reviewing MSJ and Anti-SLAPP briefing filing yesterday | \$475 | \$237.50 |
| 3/10/2020 | L. Nicholls | 1.0 | Kolle v. K&K: Call with Sam Cole & follow-up emails to Paul and the team | \$475 | \$475.00 |
| 3/10/2020 | Jim Hemphill | 1.0 | Review pleadings in Texas state case challenging drone restrictions and emails with team regarding same; | \$575 | \$575.00 |
| 3/17/2020 | Alicia Calzada | 1.0 | Participate in call with Texas drone lawsuit team; research court closures and deadlines with respect to Coronavirus disaster declaration/ exigent circumstances. | \$425 | \$425.00 |
| 3/17/2020 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 3/17/2020 | L. Nicholls | 0.6 | Litigation team check-in call | \$475 | \$285.00 |
| 3/18/2020 | Alicia Calzada | 3.0 | In support of our case, begin drafting amicus brief in separate state case challenging Texas Ch. 423 drone law. | \$425 | \$1,275.00 |
| 3/18/2020 | Alicia Calzada | 0.0 | Review Victoria lawsuit amicus brief in support of our Texas Ch. 423 drone law challenge. | \$425 | \$0.00 |
| 3/18/2020 | Mickey Osterreicher | 3.0 | Email/TC w/ amici | \$550 | \$1,650.00 |
| 3/18/2020 | Mickey Osterreicher | 0.3 | Email/TC w/ amici | \$550 | \$165.00 |
| 3/19/2020 | Alicia Calzada | 3.2 | Review and revise Victoria lawsuit amicus brief in support of our Texas Ch. 423 drone law challenge; draft declaration in support of amicus brief. | \$425 | \$1,360.00 |
| 3/19/2020 | Mickey Osterreicher | 3.2 | Review amicus brief | \$550 | \$1,760.00 |

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| 3/20/2020 | Alicia Calzada | 3.0 | Finalize amicus brief in support of Ch. 423 Texas drone law challenge; finalize declaration and exhibits and file. | \$425 | \$1,275.00 |
| 3/20/2020 | Mickey Osterreicher | 3.0 | Review amicus brief | \$550 | \$1,650.00 |
| 3/23/2020 | Alicia Calzada | 0.7 | Review draft press release from Public Justice which relates to Texas Drone Lawsuit challenging Ch. 423; send updates on court closures to drone lawsuit team. | \$425 | \$297.50 |
| 3/23/2020 | Mickey Osterreicher | 0.5 | Review draft press release | \$550 | \$275.00 |
| 3/30/2020 | Timur Akman-Duffy | 1.8 | Draft outline for summary judgment motion | \$145 | \$261.00 |
| 3/31/2020 | Joseph Burson | 1.1 | Revise draft outline for summary judgment motion | \$145 | \$159.50 |
| 4/2/2020 | Joseph Burson | 1.1 | Research intrusion upon seclusion | \$145 | \$159.50 |
| 4/10/2020 | Joseph Burson | 0.3 | Research invasion of privacy torts in Texas | \$145 | \$43.50 |
| 4/10/2020 | Timur Akman-Duffy | 5.4 | Drafting summary judgment motion | \$145 | \$783.00 |
| 4/13/2020 | Joseph Burson | 1.0 | Draft summary judgment motion | \$145 | \$145.00 |
| 5/29/2020 | Joseph Burson | 1.9 | Revise summary judgment motion draft | \$145 | \$275.50 |
| 6/1/2020 | Alicia Calzada | 0.0 | Communicate with members about press inquiry related to drone lawsuit. | \$425 | \$0.00 |
| 6/5/2020 | Joseph Burson | 2.0 | Revise motion for summary judgment | \$145 | \$290.00 |
| 6/9/2020 | Alicia Calzada | 1.2 | Review information on Victoria, Texas case related to drone law and communicate with team on same. | \$425 | \$510.00 |
| 6/10/2020 | Alicia Calzada | 0.3 | Communicate regarding Victoria drone case related to our challenge of Ch. 423. | \$425 | \$127.50 |
| 6/10/2020 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 7/13/2020 | Alicia Calzada | 0.9 | Assist members with inquiry on drone lawsuit. | \$425 | \$382.50 |
| 7/14/2020 | Alicia Calzada | 0.8 | Review and forward recommendations on op-ed related to drone law. | \$425 | \$340.00 |
| 7/14/2020 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 7/17/2020 | Alicia Calzada | 0.9 | Communicate with reporter about questions related to Texas drone lawsuit. | \$425 | \$382.50 |
| 7/20/2020 | L. Nicholls | 0.2 | Call with reporter Jim Magill re Texas Drones case | \$475 | \$95.00 |
| 8/26/2020 | Alicia Calzada | 1.6 | Review and forward state of Texas Amicus brief in Kolle case. | \$425 | \$680.00 |
| 8/27/2020 | Alicia Calzada | 0.6 | Communicate with allies on drone lawsuit. | \$425 | \$255.00 |
| 8/27/2020 | Mickey Osterreicher | 0.6 | email f/t TX Drone Community Reps | \$550 | \$330.00 |
| 9/10/2020 | Alicia Calzada | 0.4 | Participate in virtual meeting with litigation team on updates/ lack of updates. | \$425 | \$170.00 |
| 9/10/2020 | Mickey Osterreicher | 0.4 | Email/TC w/co-counsel | \$550 | \$220.00 |
| 9/10/2020 | L. Nicholls | 0.5 | Check-in/status meeting with team | \$475 | \$237.50 |
| 9/10/2020 | Jim Hemphill | 0.6 | Videoconference with team to meet new members and discuss case status and options for going-forward strategies; | \$575 | \$345.00 |
| 9/22/2020 | Roman Leal | 0.8 | Revise motion for summary judgement per new outline | \$145 | \$116.00 |
| 9/23/2020 | Roman Leal | 0.8 | Revise summary judgment motion | \$145 | \$116.00 |
| 9/28/2020 | Alicia Calzada | 0.2 | Begin drafting comments on TX drone law for legislative committee with lawsuit in mind. | \$425 | \$85.00 |
| 9/30/2020 | Alicia Calzada | 5.5 | Draft testimony for Texas Senate Committee on Business and Commerce interim charge. | \$425 | \$2,337.50 |
| 9/30/2020 | Timur Akman-Duffy | 3.1 | Updating summary judgment motion: shifting the structure and updating | \$145 | \$449.50 |
| 10/1/2020 | Alicia Calzada | 0.5 | Finalize comment on Texas drone law for Texas legislative interim charge. | \$425 | \$212.50 |

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| 10/2/2020 | Alicia Calzada | 2.1 | Finalize and submit testimony to Texas legislature regarding drone law and our lawsuit. | \$425 | \$892.50 |
| 10/11/2020 | Timur Akman-Duffy | 1.5 | Drafting summary judgment motion: expanding use of evidence re importance of drone use by journalists | \$145 | \$217.50 |
| 10/15/2020 | Roman Leal | 1.5 | Revising draft of summary judgment motion | \$145 | \$217.50 |
| 10/22/2020 | Alicia Calzada | 0.3 | Communicate with team on meeting and public information request; communicate with lawmakers on official comments related to Ch. 423. | \$425 | \$127.50 |
| 10/22/2020 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 10/22/2020 | Michael Linhorst | 2.3 | Review and revise draft of motion for summary judgment | \$350 | \$805.00 |
| 10/25/2020 | Timur Akman-Duffy | 1.8 | Research caselaw re constitutional protection of newsgathering | \$145 | \$261.00 |
| 10/26/2020 | Roman Leal | 1.8 | Editing summary judgment motion | \$145 | \$261.00 |
| 10/28/2020 | Timur Akman-Duffy | 3.1 | Updating summary judgment motion following conversation with co-counsel | \$145 | \$449.50 |
| 11/4/2020 | Alicia Calzada | 0.9 | Communicate with litigation team on upcoming deadlines; review settlement deadline draft letter and communicate with Mr. Osterreicher and Mr. Hemphill as well as Ms. Ramsess and Mr. Stanfill on same. | \$425 | \$382.50 |
| 11/4/2020 | Mickey Osterreicher | 0.9 | Email/TC w/co-counsel | \$550 | \$495.00 |
| 11/4/2020 | Roman Leal | 2.3 | summary judgment motion revisions | \$145 | \$333.50 |
| 11/4/2020 | Michael Linhorst | 1.7 | Review and revise draft of motion for summary judgment | \$350 | \$595.00 |
| 11/4/2020 | Jim Hemphill | 1.0 | Review draft motion for summary judgment to prepare for videoconference with team; | \$575 | \$575.00 |
| 11/5/2020 | Timur Akman-Duffy | 2.1 | Researching 5th Circuit precedent re strict scrutiny standard in 1A cases | \$145 | \$304.50 |
| 11/6/2020 | Alicia Calzada | 2.4 | Begin review of Motion for Summary Judgment Draft; participate in meeting with litigation team. | \$425 | \$1,020.00 |
| 11/6/2020 | Mickey Osterreicher | 2.5 | Review/revise MSJ | \$550 | \$1,375.00 |
| 11/6/2020 | L. Nicholls | 2.0 | Reviewing draft MSJ argument section as well as proposed settlement demand | \$475 | \$950.00 |
| 11/6/2020 | L. Nicholls | 0.7 | Team mtg re settlement demand letter and comments on first draft of MSJ & follow-up email | \$475 | \$332.50 |
| 11/6/2020 | Jim Hemphill | 1.5 | Review draft motion for summary judgment; Prepare for and participate in team videoconference regarding settlement offer and motion for summary judgment issues; Communicate with opposing counsel regarding settlement offer issues; | \$575 | \$862.50 |
| 11/13/2020 | Jim Hemphill | 3.1 | Research on recent Fifth Circuit case on First Amendment standing and related issues; | \$575 | \$1,782.50 |
| 11/15/2020 | Timur Akman-Duffy | 1.5 | Updating summary judgment motion | \$145 | \$217.50 |
| 11/19/2020 | Alicia Calzada | 0.7 | Receive call from ----- about ----- and -----; communicate with Mr. Osterreicher on same. | \$425 | \$297.50 |
| 11/19/2020 | Mickey Osterreicher | 0.5 | Email/TC w/ AWC | \$550 | \$275.00 |
| 11/19/2020 | L. Nicholls | 0.1 | Reviewing draft administrative docs (statements re ADR, consent to magistrate etc.) | \$475 | \$47.50 |
| 11/19/2020 | Jim Hemphill | 1.0 | Work on draft ADR report and related issues; Emails with team and opposing counsel regarding same; | \$575 | \$575.00 |
| 11/20/2020 | Alicia Calzada | 0.7 | Meet with legal team to discuss strategy and updates; draft and send follow-up email. | \$425 | \$297.50 |
| 11/20/2020 | Mickey Osterreicher | 0.7 | Email/TC w/co-counsel | \$550 | \$385.00 |

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| 11/20/2020 | L. Nicholls | 0.5 | Meeting re communicating with TPA and potential supplemental authority | \$475 | \$237.50 |
| 11/20/2020 | Jim Hemphill | 2.3 | Videoconference with team to discuss various matters; Revise joint ADR report and prepare same for filing; | \$575 | \$1,322.50 |
| 11/22/2020 | L. Nicholls | 0.4 | Of Speech First case and see if appropriate for supplemental authority | \$475 | \$190.00 |
| 11/30/2020 | Alicia Calzada | 2.1 | Review Order on Motion to Dismiss; communicate with team and leadership on same. | \$425 | \$892.50 |
| 11/30/2020 | Mickey Osterreicher | 2.2 | Review MTD Order | \$550 | \$1,210.00 |
| 11/30/2020 | L. Nicholls | 0.4 | quick skim of the MTD decision and emails to team and colleagues about same | \$475 | \$190.00 |
| 11/30/2020 | Jim Hemphill | 2.1 | Review of order on motion to dismiss and emails with team regarding same; | \$575 | \$1,207.50 |
| 12/1/2020 | Alicia Calzada | 0.5 | Continue communications on order denying motion to dismiss. | \$425 | \$212.50 |
| 12/1/2020 | Alicia Calzada | 0.5 | Review Order on Motion to Dismiss; communicate with team and leadership on same. | \$425 | \$212.50 |
| 12/1/2020 | Mickey Osterreicher | 0.5 | Review MTD Order | \$550 | \$275.00 |
| 12/1/2020 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 12/4/2020 | Alicia Calzada | 1.7 | Meet with legal team to discuss ruling, upcoming deadlines, and affidavits; send follow-up communications. | \$425 | \$722.50 |
| 12/4/2020 | Mickey Osterreicher | 1.5 | Email/TC w/co-counsel | \$550 | \$825.00 |
| 12/4/2020 | L. Nicholls | 1.0 | Team meeting re motion to dismiss win | \$475 | \$475.00 |
| 12/4/2020 | Jim Hemphill | 1.0 | Prepare for and participate in team meeting; | \$575 | \$575.00 |
| 12/9/2020 | Roman Leal | 1.8 | Revising facts section for summary judgment motion | \$145 | \$261.00 |
| 12/10/2020 | Timur Akman-Duffy | 2.5 | Updating summary judgment motion | \$145 | \$362.50 |
| 12/11/2020 | L. Nicholls | 0.1 | Returning Jim McGill's call re MTD decision | \$475 | \$47.50 |
| 12/14/2020 | Alicia Calzada | 0.6 | Meet with potential amicus filer to discuss case. | \$425 | \$255.00 |
| 12/14/2020 | Mickey Osterreicher | 0.6 | Email/TC w/ amici | \$550 | \$330.00 |
| 12/14/2020 | Jim Hemphill | 1.0 | Prepare for and participate in Zoom conference with team members and REDACTED | \$575 | \$575.00 |
| 12/29/2020 | Timur Akman-Duffy | 0.5 | Reviewing order on motion to dismiss for use in summary judgment motion | \$145 | \$72.50 |
| 1/15/2021 | Jim Hemphill | 0.7 | Attention to defendants' answers; | \$575 | \$402.50 |
| 1/19/2021 | Alicia Calzada | 0.4 | Meet with potential amicus brief filer to discuss case. | \$425 | \$170.00 |
| 1/19/2021 | Mickey Osterreicher | 0.4 | Email/TC w/ amici | \$550 | \$220.00 |
| 1/19/2021 | David Schulz | 1.1 | Conference call with co-counsel re strategy | \$625 | \$687.50 |
| 1/19/2021 | Jim Hemphill | 0.5 | Videoconference with team and representatives from Reporters Committee for Free Press; | \$575 | \$287.50 |
| 1/25/2021 | Jim Hemphill | 0.6 | Emails with opposing counsel regarding substitution of new head of DPS and related issues; | \$575 | \$345.00 |
| 1/26/2021 | Roman Leal | 1.2 | Drafting statement of material facts | \$145 | \$174.00 |
| 1/28/2021 | Jim Hemphill | 0.4 | Emails regarding substitution of new Highway Patrol chief and possible Rule 26(f) conference; | \$575 | \$230.00 |
| 1/29/2021 | Jim Hemphill | 0.3 | Emails regarding Rule 26 meeting issues; | \$575 | \$172.50 |
| 2/2/2021 | Roman Leal | 2.3 | Drafting statement of material facts | \$145 | \$333.50 |
| 2/2/2021 | Timur Akman-Duffy | 2.0 | Drafting summary judgment motion | \$145 | \$290.00 |

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| 2/3/2021 | Roman Leal | 2.5 | Drafting statement of material facts | \$145 | \$362.50 |
| 2/3/2021 | Timur Akman-Duffy | 3.2 | Drafting summary judgment motion | \$145 | \$464.00 |
| 2/4/2021 | Jim Hemphill | 5.0 | Work on issues regarding upcoming Rule 26 conference and potential summary judgment; | \$575 | \$2,875.00 |
| 2/5/2021 | Alicia Calzada | 0.2 | Communicate with co-counsel on Rule 26 conference. | \$425 | \$85.00 |
| 2/5/2021 | Mickey Osterreicher | 0.2 | Email/TC w/co-counsel | \$550 | \$110.00 |
| 2/5/2021 | L. Nicholls | 1.2 | Reviewing outline re Rule 26 meet and confer & emailing with team thoughts on same | \$475 | \$570.00 |
| 2/5/2021 | L. Nicholls | 0.5 | Rule 26 conference & follow-up email to team | \$475 | \$237.50 |
| 2/5/2021 | Timur Akman-Duffy | 4.1 | Drafting summary judgment motion | \$145 | \$594.50 |
| 2/5/2021 | Jim Hemphill | 1.9 | Prepare for and participate in rule 26 meeting; | \$575 | \$1,092.50 |
| 2/8/2021 | Samuel Aber | 2.4 | Editing summary judgment motion draft | \$145 | \$348.00 |
| 2/8/2021 | Jim Hemphill | 0.2 | Follow up on Rule 26 issues; | \$575 | \$115.00 |
| 2/11/2021 | Jim Hemphill | 1.0 | Brief review of material in case alleging violation of drone surveillance statutes and emails with team regarding same; | \$575 | \$575.00 |
| 2/12/2021 | Jim Hemphill | 0.1 | Brief review of emails regarding upcoming team meeting; | \$575 | \$57.50 |
| 2/14/2021 | Samuel Aber | 1.1 | Revising summary judgment motion | \$145 | \$159.50 |
| 2/14/2021 | Jim Hemphill | 2.0 | Draft Rule 26(f) report and initial disclosures and transmit to team for review; | \$575 | \$1,150.00 |
| 2/16/2021 | L. Nicholls | 0.6 | Team meeting re Rule 26 disclosures, affidavits, next steps, etc. | \$475 | \$285.00 |
| 2/16/2021 | L. Nicholls | 0.2 | Reviewing draft 26f report and Rule 26 initial disclosures | \$475 | \$95.00 |
| 2/16/2021 | Michael Linhorst | 2.0 | Review and revise draft of motion for summary judgment | \$350 | \$700.00 |
| 2/16/2021 | Jim Hemphill | 2.0 | Prepare for and participate in team videoconference to discuss discovery, motion for summary judgment strategy, and related issues; Emails with client representatives regarding discovery issues; | \$575 | \$1,150.00 |
| 2/19/2021 | Jim Hemphill | 0.9 | Work on Rule 26 report and initial disclosures; | \$575 | \$517.50 |
| 2/22/2021 | Alicia Calzada | 0.4 | Review Rule 26 draft. | \$425 | \$170.00 |
| 2/22/2021 | Mickey Osterreicher | 0.4 | Review Rule 26 draft | \$550 | \$220.00 |
| 2/22/2021 | L. Nicholls | 0.7 | Reviewing draft MSJ for big-picture concerns & writing to team with comments | \$475 | \$332.50 |
| 2/22/2021 | Jim Hemphill | 0.9 | Work on revisions to initial disclosures and transmit to team for review and comment; | \$575 | \$517.50 |
| 2/24/2021 | Jim Hemphill | 2.1 | Revise initial disclosures and prepare same for service; Emails regarding amici and related issues; | \$575 | \$1,207.50 |
| 3/2/2021 | Alicia Calzada | 0.6 | Meet with legal team to discuss state disclosures and MSJ | \$425 | \$255.00 |
| 3/2/2021 | Alicia Calzada | 0.8 | Organize and download case files and communicate on same. | \$425 | \$340.00 |
| 3/2/2021 | Mickey Osterreicher | 0.6 | Email/TC w/co-counsel | \$550 | \$330.00 |
| 3/2/2021 | L. Nicholls | 0.5 | Meeting re discovery strategy in light of Defs' Rule 26 disclosures | \$475 | \$237.50 |
| 3/2/2021 | Samuel Aber | 0.6 | Working on standing section for summary judgment motion | \$145 | \$87.00 |
| 3/2/2021 | Jim Hemphill | 2.4 | Attention to discovery and scheduling issues; Prepare for and attend team meeting; | \$575 | \$1,380.00 |
| 3/3/2021 | Roman Leal | 0.8 | MSJ edits | \$145 | \$116.00 |
| 3/3/2021 | Samuel Aber | 0.7 | Drafting standing section for summary judgment motion | \$145 | \$101.50 |

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| 3/3/2021 | Samuel Aber | 0.3 | Reviewing interrogatories and summary judgment motion revisions | \$145 | \$43.50 |
| 3/3/2021 | Timur Akman-Duffy | 0.6 | Adding standard of review to summary judgment motion draft | \$145 | \$87.00 |
| 3/4/2021 | Roman Leal | 0.5 | Revising statement of material facts | \$145 | \$72.50 |
| 3/4/2021 | Samuel Aber | 0.4 | Reviewing rule 56B statement | \$145 | \$58.00 |
| 3/4/2021 | Samuel Aber | 1.6 | Revising summary judgment motion and drafting interrogatories | \$145 | \$232.00 |
| 3/5/2021 | Roman Leal | 0.8 | Drafting interrogatories | \$145 | \$116.00 |
| 3/10/2021 | Samuel Aber | 1.5 | Revising interrogatories | \$145 | \$217.50 |
| 3/10/2021 | Michael Linhorst | 1.8 | Review and revise interrogatories | \$350 | \$630.00 |
| 3/16/2021 | Samuel Aber | 2.1 | Revising interrogatories and examining relevant local court rules | \$145 | \$304.50 |
| 3/16/2021 | Samuel Aber | 0.6 | Finalizing draft of interrogatories/document requests and circulating to co-counsel | \$145 | \$87.00 |
| 3/17/2021 | Michael Linhorst | 0.9 | Review interrogatories | \$350 | \$315.00 |
| 3/18/2021 | Roman Leal | 0.6 | Revise statement of facts | \$145 | \$87.00 |
| 3/19/2021 | Jim Hemphill | 1.9 | Work on discovery issues; Telephone conference with C. Hilton of Texas Attorney General's office on discovery matters; Email memo to team regarding same; | \$575 | \$1,092.50 |
| 3/20/2021 | Jim Hemphill | 2.1 | Work on revisions to draft discovery requests; | \$575 | \$1,207.50 |
| 3/21/2021 | Jim Hemphill | 1.1 | Continue working on revisions to draft discovery requests; | \$575 | \$632.50 |
| 3/22/2021 | L. Nicholls | 0.6 | Reviewing and commenting on draft first round of discovery requests | \$475 | \$285.00 |
| 3/22/2021 | Jim Hemphill | 0.6 | Work on draft discovery issues and emails regarding same; | \$575 | \$345.00 |
| 3/25/2021 | Alicia Calzada | 1.7 | Review and suggest revisions to RFPs and Interrogatories. | \$425 | \$722.50 |
| 3/25/2021 | Alicia Calzada | 0.8 | Meet with legal team to discuss discovery request drafts. | \$425 | \$340.00 |
| 3/25/2021 | Mickey Osterreicher | 1.5 | Review/revise RFPs & Interrogatories | \$550 | \$825.00 |
| 3/25/2021 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 3/25/2021 | L. Nicholls | 0.7 | Team meeting re edits to written discovery requests | \$475 | \$332.50 |
| 3/26/2021 | Samuel Aber | 1.2 | Revising interrogatories | \$145 | \$174.00 |
| 3/29/2021 | L. Nicholls | 0.7 | Reviewing next round of draft discovery requests | \$475 | \$332.50 |
| 3/29/2021 | Samuel Aber | 2.2 | Review and revise and finalize discovery requests | \$145 | \$319.00 |
| 4/1/2021 | Alicia Calzada | 2.5 | Begin reviewing discovery requests from Defendants and communicate with affiants on same. | \$425 | \$1,062.50 |
| 4/1/2021 | Mickey Osterreicher | 2.3 | Review • discovery requests | \$550 | \$1,265.00 |
| 4/2/2021 | Alicia Calzada | 0.2 | Communicate with co-counsel on discovery requests. | \$425 | \$85.00 |
| 4/2/2021 | Mickey Osterreicher | 0.2 | Email/TC w/co-counsel | \$550 | \$110.00 |
| 4/2/2021 | Jim Hemphill | 0.3 | Attention to discovery issues; | \$575 | \$172.50 |
| 4/5/2021 | Alicia Calzada | 1.1 | Communicate with Mr. Osterreicher about discovery requests targeting NPPA. | \$425 | \$467.50 |
| 4/5/2021 | Alicia Calzada | 0.9 | Meet with legal team to discuss discovery response. | \$425 | \$382.50 |
| 4/5/2021 | Alicia Calzada | 0.6 | Begin searching for responsive documents related to discovery requests. | \$425 | \$255.00 |
| 4/5/2021 | Mickey Osterreicher | 1.1 | Email/TC w/ AWC | \$550 | \$605.00 |
| 4/5/2021 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 4/5/2021 | Mickey Osterreicher | 0.6 | NPPA responsive docs | \$550 | \$330.00 |

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| 4/5/2021 | L. Nicholls | 0.9 | Meeting with team re plan for responding to discovery requests | \$475 | \$427.50 |
| 4/5/2021 | Jim Hemphill | 1.2 | Videoconference on discovery issues; | \$575 | \$690.00 |
| 4/7/2021 | Jim Hemphill | 1.7 | Work on discovery issues; | \$575 | \$977.50 |
| 4/8/2021 | Michael Linhorst | 0.8 | Creating discovery response spreadsheet | \$350 | \$280.00 |
| 4/9/2021 | Alicia Calzada | 0.4 | Meet with staffer to discuss NPPA discovery requests. | \$425 | \$170.00 |
| 4/9/2021 | Mickey Osterreicher | 0.4 | Email/TC w/ NPPA ED & Staff | \$550 | \$220.00 |
| 4/9/2021 | Roman Leal | 1.5 | Creating templates for responding to discovery requests | \$145 | \$217.50 |
| 4/9/2021 | Jim Hemphill | 2.0 | Work on draft discovery responses for NPPA and transmit to team for review; | \$575 | \$1,150.00 |
| 4/11/2021 | Roman Leal | 0.6 | Draft objections to discovery templates | \$145 | \$87.00 |
| 4/11/2021 | Timur Akman-Duffy | 1.0 | Draft objections to discovery requests | \$145 | \$145.00 |
| 4/12/2021 | L. Nicholls | 0.9 | Reviewing initial draft responses to discovery requests, and commenting on same | \$475 | \$427.50 |
| 4/13/2021 | Alicia Calzada | 0.7 | Meet with team to discuss discovery progress. | \$425 | \$297.50 |
| 4/13/2021 | Mickey Osterreicher | 0.7 | Email/TC w/co-counsel | \$550 | \$385.00 |
| 4/13/2021 | L. Nicholls | 0.5 | Team meeting re progress on discovery responses and next steps | \$475 | \$237.50 |
| 4/13/2021 | Jim Hemphill | 2.5 | Review template for draft discovery responses; Attend videoconference with team to discuss progress on discovery and responses to same; | \$575 | \$1,437.50 |
| 4/14/2021 | Alicia Calzada | 1.3 | Meet with staff to discuss NPPA discovery requests; | \$425 | \$552.50 |
| 4/14/2021 | Mickey Osterreicher | 1.2 | Email/TC w/ NPPA ED & Staff | \$550 | \$660.00 |
| 4/14/2021 | Roman Leal | 1.4 | Updating affidavits based on Rule 56 Statement and suggesting further questions for discovery | \$145 | \$203.00 |
| 4/14/2021 | Timur Akman-Duffy | 1.0 | Drafting discovery response templates | \$145 | \$145.00 |
| 4/17/2021 | Alicia Calzada | 4.1 | Assist Mr. Calzada with searches and other related tasks for compliance with requests for production. | \$425 | \$1,742.50 |
| 4/17/2021 | Alicia Calzada | 3.0 | Draft objections to request for production for Mr. Calzada. | \$425 | \$1,275.00 |
| 4/17/2021 | Alicia Calzada | 1.2 | Communicate with co-counsel and Hearst attorneys, about requests for production of NPPA members Mr. Calzada and Mr. Wade | \$425 | \$510.00 |
| 4/17/2021 | Mickey Osterreicher | 2.5 | Draft objections to reqEmail/TC w/ NPPA ED & Staff | \$550 | \$1,375.00 |
| 4/17/2021 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 4/19/2021 | Alicia Calzada | 0.3 | Communicate with co-counsel and Hearst attorneys, about requests for production of NPPA members Mr. Calzada and Mr. Wade | \$425 | \$127.50 |
| 4/19/2021 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 4/20/2021 | Jim Hemphill | 0.6 | Work on draft discovery responses; | \$575 | \$345.00 |
| 4/21/2021 | Jim Hemphill | 4.2 | Draft objections and responses to discovery to TPA and Joe Pappalardo; Memos to each on REDACTED; Review REDACTED incorporate into draft discovery objections and responses; | \$575 | \$2,415.00 |
| 4/23/2021 | Alicia Calzada | 1.9 | Prepare for and participate in meeting with co-counsel on discovery responses. | \$425 | \$807.50 |
| 4/23/2021 | Alicia Calzada | 5.1 | Review and revise NPPA discovery objections and responses and review documents for production and continue search for responsive documents. | \$425 | \$2,167.50 |

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| 4/23/2021 | Mickey Osterreicher | 1.5 | Document review; Email/TC w/co-counsel | \$550 | \$825.00 |
| 4/23/2021 | Mickey Osterreicher | 4.0 | Review/revise NPPA discovery objections & responses | \$550 | \$2,200.00 |
| 4/23/2021 | L. Nicholls | 1.0 | Reviewing draft discovery responses | \$475 | \$475.00 |
| 4/23/2021 | L. Nicholls | 1.7 | Meeting with team to discuss substance of draft discovery responses and follow-up related email to team | \$475 | \$807.50 |
| 4/23/2021 | David Schulz | 1.7 | Review and revise discovery responses | \$625 | \$1,062.50 |
| 4/23/2021 | Jim Hemphill | 1.3 | Prepare for and meet with team to go over discovery responses and related issues; | \$575 | \$747.50 |
| 4/24/2021 | Alicia Calzada | 3.4 | Draft responses and objections for Brandon Wade subpoena. | \$425 | \$1,445.00 |
| 4/24/2021 | Alicia Calzada | 3.2 | Search files for documents and information responsive to discovery directed at NPPA. | \$425 | \$1,360.00 |
| 4/24/2021 | Mickey Osterreicher | 3.0 | NPPA responsive docs | \$550 | \$1,650.00 |
| 4/25/2021 | Alicia Calzada | 0.5 | Call with Brandon Wade to discuss subpoena and response. | \$425 | \$212.50 |
| 4/25/2021 | Alicia Calzada | 4.1 | Make additional revisions and additions to NPPA discovery responses | \$425 | \$1,742.50 |
| 4/25/2021 | Mickey Osterreicher | 4.5 | Review/revise NPPA discovery objections & responses | \$550 | \$2,475.00 |
| 4/26/2021 | Jim Hemphill | 0.9 | Work on draft discovery objections and responses for Texas Press Association; Emails REDACTED; Revise draft discovery objections and responses for Joe Pappalardo; Transmit revised responses to team for review and comment; | \$575 | \$517.50 |
| 4/27/2021 | Samuel Aber | 0.3 | Review discovery responses | \$145 | \$43.50 |
| 4/27/2021 | Jim Hemphill | 0.6 | Work on discovery responses; | \$575 | \$345.00 |
| 4/28/2021 | Alicia Calzada | 1.2 | Meet with co-counsel to discuss final discovery responses. | \$425 | \$510.00 |
| 4/28/2021 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 4/28/2021 | L. Nicholls | 1.0 | Meeting with team re finalizing discovery responses | \$475 | \$475.00 |
| 4/28/2021 | Samuel Aber | 2.1 | Finalizing discovery responses | \$145 | \$304.50 |
| 4/28/2021 | Jim Hemphill | 1.8 | Meet with team to review draft discovery responses and discuss revisions to same; | \$575 | \$1,035.00 |
| 4/30/2021 | Jim Hemphill | 0.9 | Revisions to discovery responses; Telephone conference with C. Hilton regarding brief extension for parties to respond to discovery; | \$575 | \$517.50 |
| 5/3/2021 | Alicia Calzada | 1.5 | Communicate with potential affiant and communicate with co-counsel on same. | \$425 | \$637.50 |
| 5/3/2021 | Mickey Osterreicher | 1.5 | Email/TC w/co-counsel | \$550 | \$825.00 |
| 5/3/2021 | Jim Hemphill | 0.6 | Work on discovery responses; | \$575 | \$345.00 |
| 5/4/2021 | Jim Hemphill | 0.8 | Finalize discovery responses and prepare for service; | \$575 | \$460.00 |
| 5/5/2021 | Jim Hemphill | 0.1 | Brief review of discovery status; | \$575 | \$57.50 |
| 5/6/2021 | Jim Hemphill | 2.7 | Review defendants' discovery responses and document production; | \$575 | \$1,552.50 |
| 5/10/2021 | Alicia Calzada | 1.2 | Review discovery production and upload to secure server to transfer to Mr. Hemphill. | \$425 | \$510.00 |
| 5/10/2021 | Mickey Osterreicher | 1.2 | NPPA responsive docs | \$550 | \$660.00 |
| 5/11/2021 | Jim Hemphill | 1.9 | Work on document review for production; | \$575 | \$1,092.50 |
| 5/12/2021 | Jim Hemphill | 1.4 | Work on document review for production to defendants; | \$575 | \$805.00 |
| 5/13/2021 | Alicia Calzada | 1.5 | Meet with co-counsel to discuss discovery responses and MSJ drafting. | \$425 | \$637.50 |
| 5/13/2021 | Mickey Osterreicher | 1.5 | Email/TC w/co-counsel | \$550 | \$825.00 |
| 5/13/2021 | L. Nicholls | 0.2 | Quick look at Defs' discovery responses | \$475 | \$95.00 |

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| 5/13/2021 | L. Nicholls | 1.4 | Team meeting re Defs' discovery responses | \$475 | \$665.00 |
| 5/13/2021 | Michael Linhorst | 1.6 | Review discovery and incorporate in draft motion for summary judgment. | \$350 | \$560.00 |
| 5/13/2021 | Jim Hemphill | 2.3 | Work on discovery issues and production documents; Videoconference with team to discuss defendants' discovery responses and possible follow-up on same; | \$575 | \$1,322.50 |
| 5/17/2021 | Michael Linhorst | 4.2 | Review and revise draft summary judgment motion | \$350 | \$1,470.00 |
| 5/18/2021 | Michael Linhorst | 3.1 | Confer with third party re: potential affidavit for inclusion in summary judgment. | \$350 | \$1,085.00 |
| 5/18/2021 | Michael Linhorst | 0.3 | Confer with third party re affidavit to be filed with motion for summary judgment | \$350 | \$105.00 |
| 5/25/2021 | Michael Linhorst | 0.5 | Review and revise affidavits | \$350 | \$175.00 |
| 5/26/2021 | Alicia Calzada | 2.6 | Review, revise and make additions to the affidavit of G. Calzada including analysis of recent events and legislative activity. | \$425 | \$1,105.00 |
| 5/26/2021 | L. Nicholls | 0.4 | Call with Alicia re military installations | \$475 | \$190.00 |
| 5/26/2021 | Michael Linhorst | 2.0 | Review and revise affidavits | \$350 | \$700.00 |
| 5/27/2021 | Michael Linhorst | 2.0 | Review and revise affidavits; email correspondence re same | \$350 | \$700.00 |
| 5/29/2021 | Alicia Calzada | 3.1 | Review and revise Brandon Wade affidavit. | \$425 | \$1,317.50 |
| 6/1/2021 | Alicia Calzada | 0.5 | Revise Calzada affidavit and forward to Hearst attorneys. | \$425 | \$212.50 |
| 6/1/2021 | Alicia Calzada | 0.7 | Review draft of motion for summary judgment. | \$425 | \$297.50 |
| 6/1/2021 | Mickey Osterreicher | 0.7 | Review/revise MSJ | \$550 | \$385.00 |
| 6/1/2021 | Jim Hemphill | 4.3 | Work on motion for summary judgment issues; | \$575 | \$2,472.50 |
| 6/2/2021 | Alicia Calzada | 1.0 | Continue drafting declarations and communicate with counsel, witnesses, and attorneys for witness on drafts of declarations in support of MSJ. | \$425 | \$425.00 |
| 6/2/2021 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 6/2/2021 | Michael Linhorst | 1.6 | Review and revise third-party affidavit | \$350 | \$560.00 |
| 6/2/2021 | Jim Hemphill | 4.4 | Work on motion for summary judgment and declaration issues; Emails with REDACTED | \$575 | \$2,530.00 |
| 6/3/2021 | Michael Linhorst | 0.6 | Review and revise third-party affidavit | \$350 | \$210.00 |
| 6/4/2021 | Jim Hemphill | 1.1 | Work on REDACTED motion for summary judgment; | \$575 | \$632.50 |
| 6/7/2021 | Alicia Calzada | 1.9 | Continue working on witness declarations and motion for summary judgment draft. | \$425 | \$807.50 |
| 6/7/2021 | Mickey Osterreicher | 1.5 | Review/revise MSJ | \$550 | \$825.00 |
| 6/7/2021 | Jim Hemphill | 7.1 | Work on comments to draft motion for summary judgment and fact statement; Work on REDACTED | \$575 | \$4,082.50 |
| 6/8/2021 | Alicia Calzada | 4.4 | Review MSJ | \$425 | \$1,870.00 |
| 6/8/2021 | Mickey Osterreicher | 4.0 | Review/revise MSJ | \$550 | \$2,200.00 |
| 6/8/2021 | Jim Hemphill | 3.7 | Continue work on comments to draft motion for summary judgment and statement of facts and send to team for review; Work on REDACTED | \$575 | \$2,127.50 |
| 6/9/2021 | Alicia Calzada | 0.5 | Continue review of Motion for Summary Judgment and affidavits | \$425 | \$212.50 |
| 6/9/2021 | Mickey Osterreicher | 0.5 | Review/revise MSJ | \$550 | \$275.00 |
| 6/9/2021 | L. Nicholls | 1.3 | Reviewing and commenting on draft affidavits for TPC, CIR, Wade, and Calzada to be filed ISO the MSJ | \$475 | \$617.50 |
| 6/9/2021 | L. Nicholls | 0.9 | reviewing and commenting on drat MSJ | \$475 | \$427.50 |

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| 6/9/2021 | Jim Hemphill | 0.3 | Revise REDACTED; Emails REDACTED | \$575 | \$172.50 |
| 6/10/2021 | Alicia Calzada | 5.2 | Continue review of Motion for Summary Judgment and related affidavits | \$425 | \$2,210.00 |
| 6/10/2021 | Mickey Osterreicher | 5.2 | Review/revise MSJ | \$550 | \$2,860.00 |
| 6/10/2021 | L. Nicholls | 1.8 | Continuing review of draft MSJ brief | \$475 | \$855.00 |
| 6/11/2021 | Jim Hemphill | 0.2 | Emails regarding draft motion for summary judgment and accompanying affidavits; | \$575 | \$115.00 |
| 6/12/2021 | Alicia Calzada | 0.8 | Continue review of Motion for Summary Judgment draft. | \$425 | \$340.00 |
| 6/12/2021 | Mickey Osterreicher | 0.8 | Review/revise MSJ | \$550 | \$440.00 |
| 6/14/2021 | Alicia Calzada | 1.0 | Communicate with co-counsel on MSJ and amici. | \$425 | \$425.00 |
| 6/14/2021 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 6/14/2021 | Michael Linhorst | 0.4 | Incorporate co-counsel edits into motion for summary judgment draft | \$350 | \$140.00 |
| 6/14/2021 | Jim Hemphill | 1.2 | Work on REDACTED draft motion for summary judgment brief; | \$575 | \$690.00 |
| 6/15/2021 | Michael Linhorst | 2.4 | Revise motion for summary judgment draft | \$350 | \$840.00 |
| 6/15/2021 | David Schulz | 1.7 | Review and revise motion for summary judgment memorandum | \$625 | \$1,062.50 |
| 6/16/2021 | Alicia Calzada | 1.0 | Build case notebook | \$425 | \$425.00 |
| 6/16/2021 | Michael Linhorst | 3.0 | Review draft of statement of facts | \$350 | \$1,050.00 |
| 6/16/2021 | Jim Hemphill | 1.0 | Work on comments/suggestions for draft motion for summary judgment REDACTED | \$575 | \$575.00 |
| 6/17/2021 | Alicia Calzada | 2.5 | Review draft of motion for summary judgment. | \$425 | \$1,062.50 |
| 6/17/2021 | Mickey Osterreicher | 2.5 | Email/TC w/co-counsel | \$550 | \$1,375.00 |
| 6/17/2021 | L. Nicholls | 0.6 | Reviewing next draft of MSJ | \$475 | \$285.00 |
| 6/17/2021 | Michael Linhorst | 1.0 | Confer with co-counsel re drafts | \$350 | \$350.00 |
| 6/18/2021 | Alicia Calzada | 1.5 | Meet with co-counsel to discuss MSJ draft. | \$425 | \$637.50 |
| 6/18/2021 | Alicia Calzada | 3.7 | Insert suggested revisions and photo exhibits into current MSJ draft | \$425 | \$1,572.50 |
| 6/18/2021 | Mickey Osterreicher | 1.5 | Review/revise MSJ | \$550 | \$825.00 |
| 6/18/2021 | Mickey Osterreicher | 3.5 | Review/revise declarations | \$550 | \$1,925.00 |
| 6/18/2021 | L. Nicholls | 1.0 | Meeting with team re last week before SJ motion due (amici, logistics, etc.) | \$475 | \$475.00 |
| 6/18/2021 | L. Nicholls | 1.8 | Continuing review of next draft of SJ memo | \$475 | \$855.00 |
| 6/18/2021 | Michael Linhorst | 1.0 | Review and revise draft motion for summary judgment | \$350 | \$350.00 |
| 6/18/2021 | David Schulz | 2.6 | Review motion for summary judgment papers and confer with co-counsel | \$625 | \$1,625.00 |
| 6/18/2021 | Jim Hemphill | 4.3 | Work on proposed revisions to draft motion for summary judgment and transmit to team for review and incorporation; Work on REDACTED | \$575 | \$2,472.50 |
| 6/20/2021 | Michael Linhorst | 3.5 | Exchange emails with co-counsel re affidavits and statement of facts | \$350 | \$1,225.00 |
| 6/21/2021 | Alicia Calzada | 2.9 | Finalize declarations of Wade, Calzada and NPPA; review DPS written testimony received after multiple requests from state committee on business and commerce. | \$425 | \$1,232.50 |
| 6/21/2021 | Mickey Osterreicher | 2.5 | Review Motions | \$550 | \$1,375.00 |
| 6/22/2021 | Alicia Calzada | 0.1 | Review Motion for Extension of time to file dispositive motions | \$425 | \$42.50 |
| 6/22/2021 | Mickey Osterreicher | 0.1 | Email/TC w/co-counsel | \$550 | \$55.00 |
| 6/22/2021 | L. Nicholls | 0.1 | Reviewing draft motion re extension of time and pages | \$475 | \$47.50 |
| 6/22/2021 | Michael Linhorst | 0.9 | Review and revise motion for summary judgment draft | \$350 | \$315.00 |

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| 6/22/2021 | Jim Hemphill | 1.2 | Work on REDACTED summary judgment issues; | \$575 | \$690.00 |
| 6/23/2021 | Jim Hemphill | 0.6 | Emails regarding draft motion for summary judgment and extension of deadline for filing same; | \$575 | \$345.00 |
| 6/24/2021 | Michael Linhorst | 1.0 | Review and revise attorney declaration | \$350 | \$350.00 |
| 6/25/2021 | Alicia Calzada | 0.6 | Communicate with co-counsel about MSJ evidence. | \$425 | \$255.00 |
| 6/25/2021 | Mickey Osterreicher | 0.6 | email f/t TX Drone Community Reps | \$550 | \$330.00 |
| 6/28/2021 | Alicia Calzada | 0.2 | Review and share information regarding amici. | \$425 | \$85.00 |
| 6/28/2021 | Mickey Osterreicher | 0.2 | Research | \$550 | \$110.00 |
| 6/29/2021 | Alicia Calzada | 2.1 | Research new developments in 5th circuit 1A caselaw. | \$425 | \$892.50 |
| 6/29/2021 | Mickey Osterreicher | 1.5 | email f/t TX Drone Community Reps | \$550 | \$825.00 |
| 6/29/2021 | L. Nicholls | 1.1 | Meeting with Andrea and Katie at Sierra Club re lawsuit & follow-up emails to Alicia and team about same | \$475 | \$522.50 |
| 6/30/2021 | Alicia Calzada | 1.0 | Communicate with ----- on drone lawsuit. | \$425 | \$425.00 |
| 6/30/2021 | Mickey Osterreicher | 1.0 | Email/TC w/ AWC | \$550 | \$550.00 |
| 7/1/2021 | Michael Linhorst | 0.7 | Revise motion for summary judgment draft | \$350 | \$245.00 |
| 7/1/2021 | David Schulz | 3.7 | Review and revise SJ memo; review final declarations | \$625 | \$2,312.50 |
| 7/2/2021 | Alicia Calzada | 0.5 | Communicate with Mr. Osterreicher about amici in drone case. | \$425 | \$212.50 |
| 7/2/2021 | Alicia Calzada | 3.0 | Review draft of MSJ, make suggested edits. | \$425 | \$1,275.00 |
| 7/2/2021 | Mickey Osterreicher | 0.5 | Review/revise MSJ | \$550 | \$275.00 |
| 7/2/2021 | Mickey Osterreicher | 3.0 | Review/revise MSJ | \$550 | \$1,650.00 |
| 7/2/2021 | Michael Linhorst | 2.0 | Review and revise affidavits | \$350 | \$700.00 |
| 7/2/2021 | Michael Linhorst | 0.8 | Confer with co-counsel re brief | \$350 | \$280.00 |
| 7/6/2021 | Michael Linhorst | 0.6 | Review and revise brief | \$350 | \$210.00 |
| 7/6/2021 | Michael Linhorst | 1.5 | Review and revise brief | \$350 | \$525.00 |
| 7/6/2021 | Jim Hemphill | 0.7 | Work on REDACTED summary judgment and emails regarding same; | \$575 | \$402.50 |
| 7/7/2021 | Jim Hemphill | 1.2 | Work on REDACTED motion for summary judgment; Send sample exhibit indexes to M. Linhorst for preparation of motion for summary judgment exhibits; | \$575 | \$690.00 |
| 7/8/2021 | Alicia Calzada | 1.3 | Assist with final documents for MSJ | \$425 | \$552.50 |
| 7/8/2021 | Alicia Calzada | 5.0 | Review and make suggested revisions to final draft of Motion for Summary Judgement, including checking and suggesting revisions to record citations. | \$425 | \$2,125.00 |
| 7/8/2021 | Mickey Osterreicher | 1.5 | Review/revise MSJ | \$550 | \$825.00 |
| 7/8/2021 | Mickey Osterreicher | 4.5 | Review/respond Motion to Intervene | \$550 | \$2,475.00 |
| 7/8/2021 | Michael Linhorst | 4.0 | Prepare brief and additional materials for filing | \$350 | \$1,400.00 |
| 7/8/2021 | Jim Hemphill | 3.4 | Work on revisions to motion for summary judgment and related matters; | \$575 | \$1,955.00 |
| 7/9/2021 | Alicia Calzada | 0.7 | Review Motion to Intervene and response and draft suggested language. | \$425 | \$297.50 |
| 7/9/2021 | Mickey Osterreicher | 0.7 | Review •'s MSJ | \$550 | \$385.00 |
| 7/9/2021 | Michael Linhorst | 2.1 | Review defendants' motion for summary judgment | \$350 | \$735.00 |

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|-----------|---------------------|-----|---|-------|------------|
| 7/9/2021 | Jim Hemphill | 3.9 | Review and propose revisions to motion for summary judgment and prepare same for filing; Review of and notes on motion to intervene; Research, draft, and prepare for filing opposition to motion to intervene; Telephone conference with counsel in Attorney General's office regarding document production; | \$575 | \$2,242.50 |
| 7/10/2021 | Alicia Calzada | 3.2 | Review State Defendants Motion for Summary Judgment and related exhibits. | \$425 | \$1,360.00 |
| 7/10/2021 | Mickey Osterreicher | 3.2 | Review •'s MSJ | \$550 | \$1,760.00 |
| 7/12/2021 | Alicia Calzada | 1.5 | Additional review of State Motion for Summary Judgment and Communicate with co-counsel on same. | \$425 | \$637.50 |
| 7/12/2021 | Mickey Osterreicher | 1.5 | Email/TC w/co-counsel | \$550 | \$825.00 |
| 7/12/2021 | Michael Linhorst | 1.5 | Confer with co-counsel re defendants' motion for summary judgment | \$350 | \$525.00 |
| 7/13/2021 | Alicia Calzada | 0.9 | Meet with co-counsel | \$425 | \$382.50 |
| 7/13/2021 | Mickey Osterreicher | 0.9 | Review/revise Motion to Intervene Reply brief | \$550 | \$495.00 |
| 7/13/2021 | L. Nicholls | 1.3 | Reading Defs' MSJ & reviewing notes thereon | \$475 | \$617.50 |
| 7/13/2021 | L. Nicholls | 0.9 | Team meeting re Defs' MSJ | \$475 | \$427.50 |
| 7/13/2021 | Michael Linhorst | 1.0 | Legal research for opposition to defendants' motion | \$350 | \$350.00 |
| 7/13/2021 | David Schulz | 1.2 | Outline issues for answering brief; confer with co-counsel | \$625 | \$750.00 |
| 7/13/2021 | Jim Hemphill | 1.0 | Videoconference to discuss strategy for response to motion for summary judgment; Communications regarding logistics for response to Defendants' motion for summary judgment; | \$575 | \$575.00 |
| 7/14/2021 | Jim Hemphill | 0.1 | judgment; | \$575 | \$57.50 |
| 7/16/2021 | Alicia Calzada | 0.2 | Review Reply brief filed on Motion to Intervene. | \$425 | \$85.00 |
| 7/16/2021 | Alicia Calzada | 1.3 | Review outline of Response to State MSJ | \$425 | \$552.50 |
| 7/16/2021 | Mickey Osterreicher | 0.2 | Review •'s MSJ | \$550 | \$110.00 |
| 7/16/2021 | Mickey Osterreicher | 1.3 | Email/TC w/ AWC | \$550 | \$715.00 |
| 7/16/2021 | Michael Linhorst | 2.3 | Draft outline of opposition brief; email with co-counsel re same | \$350 | \$805.00 |
| 7/16/2021 | Jim Hemphill | 1.6 | Notes on Defendants' motion for summary judgment to prepare for response to same; | \$575 | \$920.00 |
| 7/17/2021 | L. Nicholls | 0.4 | Reviewing and commenting on draft outline of opp to Defs' MSJ | \$475 | \$190.00 |
| 7/19/2021 | Alicia Calzada | 0.2 | Communicate with Mr. Osterreicher about intervenor filing | \$425 | \$85.00 |
| 7/19/2021 | Alicia Calzada | 1.1 | Meet with co-counsel to discuss Reponse to Motion for Summary Judgment and draft communications with co-counsel on same. | \$425 | \$467.50 |
| 7/19/2021 | Mickey Osterreicher | 0.2 | Email/TC w/co-counsel | \$550 | \$110.00 |
| 7/19/2021 | Mickey Osterreicher | 1.1 | Review/revise response to •'s MSJ | \$550 | \$605.00 |
| 7/19/2021 | L. Nicholls | 0.7 | Team meeting re response to Defs' MSJ | \$475 | \$332.50 |
| 7/19/2021 | Michael Linhorst | 3.0 | Draft opposition to defendants' motion for summary judgment | \$350 | \$1,050.00 |
| 7/19/2021 | Jim Hemphill | 5.6 | Review Defendants' motion for summary judgment and case law cited therein, and notes on same to prepare for conference on response; Review outline of response and notes on same; Participate in videoconference with team regarding same; | \$575 | \$3,220.00 |
| 7/20/2021 | Jim Hemphill | 0.1 | Emails regarding scheduling for videoconference on response to motion for summary judgment; | \$575 | \$57.50 |

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|-----------|---------------------|-----|---|-------|------------|
| 7/22/2021 | Michael Linhorst | 2.1 | Draft opposition to defendants' motion for summary judgment | \$350 | \$735.00 |
| 7/26/2021 | Michael Linhorst | 2.9 | Legal research for opposition to defendants' motion for summary judgment | \$350 | \$1,015.00 |
| 7/27/2021 | Michael Linhorst | 1.3 | Draft opposition to defendants' motion for summary judgment | \$350 | \$455.00 |
| 7/28/2021 | Michael Linhorst | 3.0 | Review and revise opposition | \$350 | \$1,050.00 |
| 7/29/2021 | Michael Linhorst | 2.5 | Review and revise opposition | \$350 | \$875.00 |
| 7/30/2021 | Jim Hemphill | 1.5 | Brief initial overview of draft response in support of motion for summary judgment; | \$575 | \$862.50 |
| 8/2/2021 | Alicia Calzada | 5.1 | Review and make suggested revisions to response to state Motion for Summary Judgment. | \$425 | \$2,167.50 |
| 8/2/2021 | Mickey Osterreicher | 5.0 | Review/revise response to •'s MSJ | \$550 | \$2,750.00 |
| 8/3/2021 | Alicia Calzada | 0.2 | Continue review of response to state motion for summary judgment. | \$425 | \$85.00 |
| 8/3/2021 | Mickey Osterreicher | 0.2 | Review/revise response to •'s MSJ | \$550 | \$110.00 |
| 8/3/2021 | Michael Linhorst | 1.1 | Email with co-counsel re opposition brief | \$350 | \$385.00 |
| 8/4/2021 | Alicia Calzada | 1.0 | Continue review of draft response to state motion for summary judgment | \$425 | \$425.00 |
| 8/4/2021 | Mickey Osterreicher | 1.0 | Review •'s response to MSJ | \$550 | \$550.00 |
| 8/4/2021 | L. Nicholls | 1.6 | Reviewing draft response to Defs' SJ motion | \$475 | \$760.00 |
| 8/4/2021 | Michael Linhorst | 0.8 | Review and revise opposition | \$350 | \$280.00 |
| 8/4/2021 | Jim Hemphill | 3.4 | Review and comment/suggest edits on response to motion for summary judgment; | \$575 | \$1,955.00 |
| 8/5/2021 | Michael Linhorst | 2.0 | Prepare opposition brief for filing | \$350 | \$700.00 |
| 8/6/2021 | Michael Linhorst | 0.5 | Review defendants' opposition brief | \$350 | \$175.00 |
| 8/10/2021 | Michael Linhorst | 1.4 | Draft outline for reply brief | \$350 | \$490.00 |
| 8/11/2021 | Michael Linhorst | 1.2 | Email with co-counsel re reply brief | \$350 | \$420.00 |
| 8/12/2021 | Alicia Calzada | 1.5 | Review State Response to our MSJ and make comments and related notes. | \$425 | \$637.50 |
| 8/12/2021 | Mickey Osterreicher | 1.5 | Email/TC w/co-counsel | \$550 | \$825.00 |
| 8/12/2021 | L. Nicholls | 1.3 | Reading Defs Opp to Our MSJ and reviewing draft outline for reply | \$475 | \$617.50 |
| 8/14/2021 | Alicia Calzada | 1.0 | Communicate with co-counsel on reply brief. | \$425 | \$425.00 |
| 8/14/2021 | Mickey Osterreicher | 1.0 | Review/revise Motion to Intervene Reply brief | \$550 | \$550.00 |
| 8/14/2021 | Michael Linhorst | 1.8 | Draft reply brief | \$350 | \$630.00 |
| 8/16/2021 | David Schulz | 1.9 | Review and revise reply brief | \$625 | \$1,187.50 |
| 8/17/2021 | Michael Linhorst | 1.2 | Draft reply brief | \$350 | \$420.00 |
| 8/18/2021 | Michael Linhorst | 4.3 | Review co-counsel edits to reply brief | \$350 | \$1,505.00 |
| 8/19/2021 | L. Nicholls | 0.4 | Reading new Ag-gag decision from the 10th circuit striking down Kansas law & relaying it to the team | \$475 | \$190.00 |
| 8/19/2021 | L. Nicholls | 1.0 | MSJ Reply | \$475 | \$475.00 |
| 8/19/2021 | Michael Linhorst | 1.8 | Review and revise reply brief | \$350 | \$630.00 |
| 8/19/2021 | Jim Hemphill | 1.4 | Review of latest draft of reply in support of motion for summary judgment and comments to Mike Linhorst regarding same; | \$575 | \$805.00 |
| 8/20/2021 | Alicia Calzada | 2.8 | Review draft of Reply Brief and make suggested revisions. | \$425 | \$1,190.00 |
| 8/20/2021 | Mickey Osterreicher | 2.5 | Review/revise Motion to Intervene Reply brief | \$550 | \$1,375.00 |

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| 8/20/2021 | Michael Linhorst | 2.9 | Review and revise reply brief | \$350 | \$1,015.00 |
| 8/22/2021 | Alicia Calzada | 0.5 | Review final draft of Reply brief. | \$425 | \$212.50 |
| 8/22/2021 | Mickey Osterreicher | 0.5 | Review/revise Motion to Intervene Reply brief | \$550 | \$275.00 |
| 8/22/2021 | Michael Linhorst | 2.0 | Prepare reply brief for filing | \$350 | \$700.00 |
| 8/23/2021 | Alicia Calzada | 0.9 | Continue review of final draft of Reply brief. | \$425 | \$382.50 |
| 8/23/2021 | Alicia Calzada | 1.0 | Review draft of brief of amici and communicate with co-counsel and potential amici. | \$425 | \$425.00 |
| 8/23/2021 | Mickey Osterreicher | 1.0 | Review amici brief | \$550 | \$550.00 |
| 8/23/2021 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 8/23/2021 | Michael Linhorst | 0.4 | Legal research summarizing 5th Cir decisions related to standing (injury in fact, redressability); newsgathering rights; and content neutrality reported in 2021-22 | \$350 | \$140.00 |
| 8/23/2021 | Jim Hemphill | 0.3 | Final review of reply in support of motion for summary judgment and prepare same for filing; | \$575 | \$172.50 |
| 8/25/2021 | Alicia Calzada | 0.5 | Communicate with co-counsel about state Reply brief and potential amici. | \$425 | \$212.50 |
| 8/25/2021 | Mickey Osterreicher | 0.4 | Email/TC w/co-counsel | \$550 | \$220.00 |
| 8/27/2021 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 9/20/2021 | Alicia Calzada | 0.7 | Communicate with Texas journalist about drone law and our lawsuit. | \$425 | \$297.50 |
| 10/12/2021 | Mickey Osterreicher | 0.4 | Email/TC w/co-counsel | \$550 | \$220.00 |
| 10/12/2021 | Jim Hemphill | 1.4 | Work on trial setting issues; | \$575 | \$805.00 |
| 10/15/2021 | Alicia Calzada | 1.0 | Communicate with member on drone law question and our drone lawsuit. | \$425 | \$425.00 |
| 1/12/2022 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 2/23/2022 | Mickey Osterreicher | 0.2 | Email/TC w/co-counsel | \$550 | \$110.00 |
| 3/2/2022 | Alicia Calzada | 1.0 | Meet with co-counsel to discuss supplemental pleading in drone lawsuit. | \$425 | \$425.00 |
| 3/2/2022 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 3/7/2022 | Jim Hemphill | 0.3 | Review citation correction letter draft and reformat into pleading and distribute to team for review; | \$575 | \$172.50 |
| 3/29/2022 | Mickey Osterreicher | 1.5 | Review Order | \$550 | \$825.00 |
| 3/29/2022 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 3/29/2022 | Jim Hemphill | 0.4 | Review opinion granting summary judgment in favor of clients and emails with team regarding same; | \$575 | \$230.00 |
| 3/30/2022 | Alicia Calzada | 2.9 | Follow up communications on Texas drone lawsuit win. | \$425 | \$1,232.50 |
| 3/30/2022 | Mickey Osterreicher | 0.6 | Email/TC w/co-counsel | \$550 | \$330.00 |
| 4/6/2022 | Alicia Calzada | 0.8 | Meet with co-counsel to discuss fee application. | \$425 | \$340.00 |
| 4/6/2022 | Alicia Calzada | 2.8 | Review hours and related fee information in preparation for affidavit and fee motion. | \$425 | \$1,190.00 |
| 4/6/2022 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 4/6/2022 | Jim Hemphill | 0.8 | Videoconference with team regarding entry of judgment, attorneys' fee application, and related issues; | \$575 | \$460.00 |
| 4/12/2022 | Alicia Calzada | 3.1 | Review spreadsheet of time entries; begin drafting declaration in support of fees. | \$425 | \$1,317.50 |
| 4/12/2022 | Jim Hemphill | 0.7 | Work on attorneys' fee issues; | \$575 | \$402.50 |

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|-----------|----------------|-----------------------|--|-------|----------------------------|
| 4/13/2022 | Alicia Calzada | 8.0 | Draft motion for fees; continue drafting declaration in support of fees. | \$425 | \$3,400.00 |
| 4/15/2022 | Alicia Calzada | 2.5 | Review motion in support of fees and related declaration, make revisions, and forward to co-counsel. | \$425 | \$1,062.50 |
| 4/19/2022 | Alicia Calzada | 1.0 | Review and revise declaration on fees. | \$425 | \$425.00 |
| | | <u>1,327.1</u> | | | <u>\$557,558.50</u> |

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

NATIONAL PRESS PHOTOGRAPHERS
ASSOCIATION, *et al.*,

Plaintiffs,

v.

STEVEN MCCRAW, *et al.*,

Defendants.

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CIVIL ACTION NO.
1:19-cv-00946-RP

**DECLARATION OF JAMES A. HEMPHILL
REGARDING ATTORNEYS' FEES AND COSTS**

1. My name is James A. Hemphill. I am an attorney and shareholder with the law firm of Graves Dougherty Heaton & Moody, P.C. in Austin, Texas. I am over the age of 18 and have not been convicted of a felony.

2. I submit this declaration in support of Plaintiffs' motion for attorneys' fees and expenses. The declaration is based on my direct personal knowledge, unless otherwise indicated. If called to testify as to these matters, I could and would competently testify to what is set out in this declaration.

3. I graduated from the University of Texas School of Law, with high honors, in 1993. I was a member of the academic honor societies the Chancellors and the Order of the Coif, and I served as Editor in Chief of the *Texas Law Review*. After graduation, I worked as a law clerk for the Hon. R. Lanier Anderson III on the U.S. Court of Appeals for the Eleventh Circuit. I have been licensed to practice law in Texas since November of 1993. I have practiced civil trial and appellate law in Texas since the fall of 1994. I have represented parties in First Amendment and media-related cases all throughout my practice and have worked on dozens of such cases all over Texas and in other states. I have represented clients including *The Wall*

Street Journal, *Barron's*, *Texas Monthly*, the *Texas Observer*, the *Austin American-Statesman*, WGBH-TV/*Frontline*, the *Los Angeles Times*, the Associated Press, *Phoenix New Times*, the *Dallas Observer*, and the *Houston Press*, among many others. I am Board Certified in Civil Appellate Law by the Texas Board of Legal Specialization and have been listed in *Best Lawyers in America* in the category of First Amendment Litigation continuously since 2005. I am also a board member and former President of the Freedom of Information Foundation of Texas. Before attending law school, I worked for several years as a professional journalist in both print and broadcast media, and I taught reporting at what is now known as the Greenlee School of Journalism and Communication at Iowa State University. I am a member in good standing of the State Bar of Texas and am admitted to practice before the U.S. District Courts for the Western, Southern, Northern, and Eastern Districts of Texas, the U.S. Court of Appeals for the Fifth Circuit, and the United States Supreme Court.

4. I was approached by representatives of the National Press Photographers Association, Public Justice, and the Media Freedom and Information Access Clinic (“MFIA”) at Yale Law School in late July or early August of 2019 about the possibility of joining a team that planned to challenge the constitutionality of certain restrictions on drone flight and photography in Texas. Members of this team had already done substantial work in planning such a challenge and had identified this Court as the most appropriate venue. As a longtime member of this Court who has experience including trying jury trials in this District and Division, I agreed to join the team as co-counsel and as the lawyer with primary responsibility for interfacing with the Court and opposing counsel. My work was not limited to typical local counsel tasks; I also contributed to strategy, drafting, and editing of pleadings, as well as working with clients and witnesses in responding to discovery and executing declarations.

5. In litigating this matter, team members have divided responsibilities to avoid unnecessary duplication of effort. For example, primary responsibilities for researching particular matters and for drafting certain pleadings, or sections of pleadings, were assigned to particular team members. Typically, the team members would share drafts for their work with other team members for their thoughts and comments. Because this case involved application of existing law to new technologies and was largely without precedent that was entirely on point, and because members of the team had varying experience and perspectives, the team approach (including conferences among team members to share thoughts, opinions, and strategies) added considerable value to the representation of Plaintiffs.

6. In this Declaration, I give my opinion regarding reasonable and necessary attorneys' fees that have been incurred, and that are reasonably estimated to be incurred, in representing Plaintiffs in this lawsuit. In rendering these opinions, I have considered all the factors set forth in Texas Rule of Disciplinary Conduct 1.04 and incorporated by the Texas Supreme Court in *Arthur Andersen & Co. v. Perry Equipment Corp.*, 945 S.W.2d 812 (Tex. 1997). Those factors are:

- (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
- (2) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
- (3) the fee customarily charged in the locality for similar legal services;
- (4) the amount involved and the results obtained;
- (5) the time limitations imposed by the client or by the circumstances;
- (6) the nature and length of the professional relationship with the client;
- (7) the experience, reputation, and ability of the lawyer or lawyers performing the services; and

(8) whether the fee is fixed or contingent on results obtained or uncertainty of collection before the legal services have been rendered.

7. In addition, I have considered the lodestar analysis used by this Court and the Fifth Circuit, as well as the factors set forth in *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714, 717-19 (5th Cir. 1974), *abrogated on other grounds by Blanchard v. Bergeron*, 489 U.S. 87, 109 S. Ct. 939, 103 L. Ed. 2d 67 (1989), which are: (1) time and labor required, (2) novelty and difficulty of the issues, (3) skill required to perform the legal services properly, (4) preclusion of other employment, (5) customary fees, (6) whether the fee is fixed or contingent, (7) time limitations imposed by the client or the circumstances, (8) amount involved and results obtained, (9) experience, reputation and ability of the attorneys, (10) undesirability of the case, (11) nature and length of the professional relationship with the client, and (12) awards in similar cases.

8. I have worked closely over the past few years with co-counsel on this case, which has given me familiarity with their high level of competence and skills. I have been acquainted with many of them even before becoming involved in this litigation as members of the national media law bar, a group that has frequent conferences, events, and communications. In addition, I have reviewed the declarations of David Schulz, David Muraskin, Mickey Osterreicher, and Alicia Calzada regarding their experience and qualifications, and those of their team members, as well as the hours they spent on this matter. I rely on their independent professional judgment to the extent they provide information and render opinions on matters not within my personal knowledge. On matters about which I possess personal knowledge, I agree with and endorse their declarations.

9. I kept contemporaneous time records for my work on this case, as did other lawyers and staff members in my firm, per our usual practice. The entries for my time and fees

that appear on the document setting forth all tasks, timekeepers, time, and rate, attached as Exhibit A to Plaintiffs' Motion for Attorneys' Fees and Costs were taken directly from our contemporaneous time records. I have gone through those records to delete time that could be considered duplicative or in any way not reasonable or necessary. While I do believe that time spent on this matter by other attorneys and non-attorney staff members from my firm was reasonable and necessary, and that the fees attributable to that time also were reasonable and necessary, I have excluded all such time from this account of fees to simplify this application. I have also not included the approximately 15 hours I have spent on the fee application and associated documents.

10. After such adjustments, the hours I spent on this matter total 174.4. This number of hours was reasonable and necessary under the standards set forth in this Declaration. The hours were actually expended on the topics stated.

11. I have also reviewed material regarding reasonable hourly fees and am personally familiar with rates charged in the Austin area and in Texas for the type of litigation work involved in this case. I have also reviewed similar cases in which fee applications have been made and fee awards have been approved, including First Amendment cases under the Texas Citizens Participation Act, which includes a provision for a fee award to a prevailing party, and have made fee applications and received fee awards in such cases. My usual and customary rate for work on media and First Amendment litigation is currently \$575 an hour. This rate is reasonable under the circumstances of this case. In my experience, lawyers in this geographical region with a similar background and experience typically charge similar or higher hourly rates. This hourly rate is reasonable for the type of work involved in this case. Based upon my personal knowledge and experience, as well as the information set forth in the declarations of

David Schulz, David Muraskin, Mickey Osterreicher, and Alicia Calzada, I find the following hourly rates to be similar to the rates charged by lawyers in this geographical region with a similar background and experience; if anything, the following rates are below or at the low end of the range:

| Attorney | Hourly Rate |
|----------------------|-------------|
| Jim Hemphill | \$575 |
| David Schulz | \$625 |
| Mickey Osterreicher | \$550 |
| Alicia Calzada | \$425 |
| Leslie Brueckner | \$625 |
| Leah Nicholls | \$475 |
| Michael Linhorst | \$350 |
| MFIA Student Interns | \$145 |

12. Considering the above-described hours and hourly fee, the value of time worked by my firm in this case is \$100,280. These fees are reasonable and necessary, applying all the factors and guidelines set forth in this Declaration.

13. I agreed to join the team of lawyers representing Plaintiffs in this case with the understanding that my fee, if any, would be paid only through an award of fees against Defendants. Time I have spent on this case could have been spent on other matters in which payment of fees would have been certain, resulting in potentially reduced revenue and income.

14. In addition to the above-described fees, my law firm incurred actual out-of-pocket expenses of \$1,240, for the following items, as reflected in records supplied by the accounting department of my firm:

| Date | Amount | Purpose |
|------------|----------|---|
| 10/09/2019 | \$95.00 | Austin Process LLC, service on W. Mau |
| 10/09/2019 | \$75.00 | Austin Process LLC, service on S. McCraw |
| 10/09/2019 | \$70.00 | Austin Process LLC, service on R. Joy |
| 10/22/2019 | \$400.00 | Filing fees for pro hac vice motion |
| 10/22/2019 | \$500.00 | Filing fees for five co-counsel admissions: Schulz, Pinsof, Procaccini, Nicholls, Brueckner |

| | | |
|--------------|-------------------|---|
| 07/29/2021 | \$100.00 | Filing fee for co-counsel admission: Osterreicher |
| | | |
| TOTAL | \$1,240.00 | |

15. In addition to giving testimony about the reasonableness and necessity of fees in cases such as this, I also have frequently given testimony regarding anticipated fees in the event of appeals. I am familiar with the rates charged by appellate lawyers in Austin and Texas. I am Board Certified in Civil Appellate Law and devote approximately 40-50% of my time to appeals and appellate-adjacent matters in trial courts.

16. In the event of an appeal of the Court's ruling granting judgment to Plaintiffs, I estimate, based on my experience and on the award of similar conditional appellate fees by other courts in similar cases, that Plaintiffs will incur the following additional reasonable and necessary attorneys' fees:

- In the event of an appeal to the Court of Appeals for the Fifth Circuit requiring briefing: an additional \$50,000;
- In the event of oral argument in the Court of Appeals: an additional \$25,000;
- In the event of a Petition for Certiorari to the U.S. Supreme Court: an additional \$35,000;
- In the event of merits briefing and oral argument in the U.S. Supreme Court: an additional \$75,000.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 26th day of April, 2022 in Austin, Texas.

/s/ James A. Hemphill
James A. Hemphill

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

NATIONAL PRESS PHOTOGRAPHERS
ASSOCIATION, *et al.*,

Plaintiffs,

v.

STEVEN MCCRAW, *et al.*,

Defendants.

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CIVIL ACTION NO.
1:19-cv-00946-RP

**DECLARATION OF DAVID S. MURASKIN IN SUPPORT OF
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND COSTS**

1. I, David S. Muraskin, declare as follows:

2. I am the Litigation Director of Public Justice's Food Project and co-counsel on this matter while my colleague Leah Nicholls is on maternity leave.

3. I submit this declaration in support of Plaintiffs' motion for attorneys' fees and expenses. The declaration is based on my direct personal knowledge, unless otherwise indicated. For any matter that is not based on my direct personal knowledge, I am authorized to make these statements on behalf of Public Justice, and I have developed personal knowledge of these facts by speaking with the organization's staff and/or reviewing its documents. If called to testify as to these matters, I could and would competently testify to what is set out in this declaration.

I. Professional Background and Experience of Public Justice Attorneys

4. I graduated from Stanford Law School in 2009 with Distinction. From 2015 to the present, I have worked as an attorney within Public Justice in Washington, D.C. Among the matters I have worked on, I have been lead or co-counsel in nearly all of the "Ag-Gag" litigation,

a nationwide series of cases challenging state efforts to limit investigations of agricultural operations and other facilities on First Amendment grounds.

5. Leah Nicolls, who is presently Public Justice's lead attorney on this matter, has been an attorney with Public Justice in Washington, D.C. since 2012.

6. Ms. Nicholls is currently Co-Director of Public Justice's Access to Justice Project, which focuses on cases involving access to courts (such as standing and the enforceability of arbitration agreements), court secrecy (such as the improper sealing of documents), and consumer protection (such as rebutting claims of federal preemption).

7. Ms. Nicholls has been lead counsel in numerous successful appeals in federal courts across the country, including: *Smith v. GC Services Limited Partnership*, 907 F.3d 495 (7th Cir. 2018) (debt collector waived any right to enforce arbitration agreement); *Cottrell v. Alcon Laboratories, Inc.*, 874 F.3d 154 (3d Cir. 2017) (plaintiffs had standing to allege that manufacturers of prescription eyedrops packaged eyedrops in a way that forced consumers to waste medication in violation of state consumer law); *McBurney v. Cuccinelli*, 616 F.3d 393 (4th Cir. 2010) (plaintiffs had standing to challenge the constitutionality of Virginia's FOIA law, which limits the right to access records to Virginia citizens).

8. Ms. Nicholls has also been co-counsel in several successful cases before the United States Supreme Court, including, most recently: *Home Depot U.S.A., Inc. v. Jackson*, 139 S. Ct. 1743 (2019) (holding counterclaim defendant may not remove a case to federal court and that the Class Action Fairness Act does not permit a third-party defendant to remove); *New Prime Inc. v. Oliveira*, 139 S. Ct. 532 (2019) (holding that the Federal Arbitration Act's exclusion for contracts of employment of transportation workers applies to independent contractors).

9. Ms. Nicholls has engaged in a variety of other litigation in state and federal courts omitted here merely for brevity.

10. Prior to joining Public Justice, Ms. Nicholls was a senior staff attorney for civil rights and general public interest at Georgetown University Law Center's Institute for Public Representation.

11. Before that, Ms. Nicholls served as the Supreme Court Assistance Project Fellow at Public Citizen Litigation Group.

12. Ms. Nicholls began her career as a law clerk for Texas Supreme Court Justice Harriet O'Neill.

13. Ms. Nicholls is a 2007 graduate of Duke University Law School, where she graduated *magna cum laude* and Order of the Coif.

14. She received her B.A. in History and Philosophy *summa cum laude* from Boston University. She also received an L.L.M. in Advocacy from Georgetown Law, an L.L.M. in International and Comparative Law from Duke Law, and an M.A. in History from Boston University.

15. Ms. Nicholls has taught Federal Courts and Appellate Advocacy as an adjunct law professor at Georgetown University Law Center and the University of the District of Columbia. She currently serves as a Consumer Fellow to the American Bar Association's Consumer Financial Services Committee.

16. Leslie Brueckner, who was a Public Justice attorney staffed on this matter, is presently Partner and Appellate and Supreme Court Practice Group Leader at the law firm Bailey & Glasser.

17. From December 1993 until December 2021, Ms. Brueckner was an attorney with Public Justice where she worked in its Access to Justice Project.

18. Ms. Brueckner has successfully argued cases before the United States Supreme Court, three times before the California Supreme Court, and numerous federal courts of appeal. Those victories include: *Sprietsma v. Mercury Marine Corp.*, 537 U.S. 51 (2002) (upholding an injury victim's right to sue a manufacturer for failing to install propeller guards on its recreational motor boat engines against claims of federal preemption); *Noel v. Thrifty Payless, Inc.*, 445 P. 3d 626 (Cal. 2019) (overturning denial of class certification in a false advertising case); *Drelles v. MetLife*, 357 F.3d 344 (3d Cir. 2003) (holding consumers who opted all of their claims out of a nationwide class action settlement cannot be barred from fully prosecuting their individual cases against the defendant company).

19. Ms. Brueckner has also been co-counsel in a variety of similar cases, such as: *National Meat Association v. Harris*, 565 U.S. 452 (2012); *PLIVA v. Mensing*, 564 U.S. 604 (2011); *Geier v. American Honda Motor Inc.*, 529 U.S. 861 (2000); *Freightliner v. Myrick*, 514 U.S. 280 (1995); *U.S. Airways v. McCutchen*, 663 F.3d 671 (3d Cir. 2011), *aff'd in part and rev'd in part*, 569 U.S. 88 (2013); *Aguayo v. U.S. Bank*, 653 F.3d 912 (9th Cir. 2011).

20. Further, Ms. Brueckner, was co-counsel in two of the "Ag-Gag" cases successfully challenging laws that criminalized investigations of agricultural operations on First Amendment grounds. *E.g.*, *Animal Legal Def. Fund v. Wasden*, 878 F.3d 1184 (9th Cir. 2018); *W. Watersheds Project v. Michael*, 869 F.3d 1189 (10th Cir. 2017).

21. She has litigated numerous other cases in federal and state courts, the details of which are omitted here merely for brevity.

22. Ms. Brueckner is a 1987 graduate of Harvard Law School, *magnum cum laude*.

23. She received her B.A. from U.C. Berkeley in 1983.

24. Ms. Brueckner taught appellate advocacy at American University Law School and Georgetown University School of Law.

25. Reflecting her breadth of work and success, Ms. Brueckner has received numerous awards: Pro Bono Achievement Award (Animal Legal Defense Fund); Women's Consumer Advocate of the Year Award (Consumer Attorneys of California); Appellate Advocacy Award (Pound Civil Justice Institute); Dale Haralson Fallout Award (Western Trial Lawyers Association); and Finalist for Appellate Lawyer of the Year Award (Consumer Attorneys Association of Los Angeles).

26. In addition to the attorneys identified above, at times Public Justice also staffed on the case a legal fellow—a recent Georgetown University Law Center graduate—and a legal intern.

II. Public Justice's Involvement in This Litigation and Write-Offs

27. Public Justice joined this case during its development.

28. Throughout each stage, Public Justice attorneys worked on developing legal theories, reviewed and commented on filings and other materials, and participated in exchanges with co-counsel.

29. In particular, during case development, Public Justice attorneys with specialized expertise in the issues presented, specifically, First Amendment law and federal preemption, devoted time to developing these claims.

30. To ensure efficiency, once the claims were set, Ms. Nicholls took primary responsibility for the matter at Public Justice, with other staff attorneys essentially ending their involvement.

31. Ms. Nicholls particularly contributed her expertise in standing law in responding to the issues raised in this case.

32. While I cannot speak to the other efforts to ensure efficient litigation of this matter, I refer the Court to co-counsel's declarations for their description of the challenges faced in this litigation requiring the expenditure of the time recorded, the importance of the collaborative efforts that brought about the success in this matter, and the steps taken to prevent duplicative efforts.

33. In addition to leanly staffing the matter, in an exercise of billing judgment, Public Justice is also choosing not to seek to recover for my involvement in the case (which occurred during case development and in connection with this fee motion) or the time of its Fellow and intern billed to the matter. In total these write-offs resulted in Public Justice declining to seek recovery for more than 118 hours billed to this matter.

34. Further still, Public Justice also does not require its Legal Assistants to bill time. This results in additional time contributed to this matter for which it is not seeking to recover.

III. Public Justice's Hours for Which It Is Seeking to Recover

35. It is Public Justice's policy that every attorney in the organization keep contemporaneous time records of all of their work, recording the time spent to the next one-tenth of the hour, along with a narrative of the activity, and assign that entry to a particular case, most often identified by a unique case number.

36. I have collected the time Ms. Nicholls and Ms. Brueckner billed to this matter. I have reviewed these records and cut hours that I believed would not have been billed to a client in a business setting.

37. The logs of hours spent on a matter are documents Public Justice keeps in the ordinary course of business.

38. I have also reviewed the compilation of those hours into **Exhibit A** and believe it accurately reflects the time for which Public Justice is seeking to recover.

39. I attest that Public Justice's time entries reflected in **Exhibit A** solely include time that I believe was reasonably spent on the matter and would have been billed to a paying client.

40. In total Public Justice seeks to recover for 121.7 hours of Ms. Nicholls' time and 96.0 hours of Ms. Brueckner's time. I attest that the entries accurately reflect the narratives recorded demonstrating the matters on which Ms. Nicholls and Ms. Brueckner spent their time on this matter.

41. Further, as part of its ordinary course of business Public Justice also maintains a list of costs assigned to each specific case number. Public Justice's costs associated with this matter are itemized in the attached exhibits and total \$1,178.88, almost entirely for legal research fees.

IV. Hourly Rates and Expenses

42. Public Justice uses the U.S. Department of Justice's "Fitzpatrick Matrix"¹ to determine an appropriate hourly rate in Washington, D.C. Under the Fitzpatrick Matrix, Ms. Nicholls' present rate would be \$626/hour. Using that same matrix, Ms. Brueckner's present rate would be \$736/hour.

43. In an effort to avoid disputes in this matter, however, Plaintiffs have agreed to use local rate. Based upon my understanding of the relevant local billing rates, I believe that a reasonable and fair market rate for Ms. Nicholls' services would be \$475/hour and for Ms.

¹ <https://www.justice.gov/usao-dc/page/file/1189846/download>.

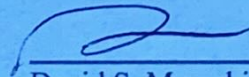
Brueckner's services would be \$625/hour. I have arrived at these rates in consultation with local counsel Jim Hemphill based on the rates he charges in the market and refer the Court to his declaration for further support of these rates.

44. Therefore, Public Justice is seeking to recover \$57,807.50 for Ms. Nicholls' time on this matter, and \$60,000 for Ms. Brueckner's time on this matter.

45. In total, when combined with the costs Public Justice incurred, it is seeking to recover \$118,986.38.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 27th day of April, 2022 in Washington, D.C.



David S. Muraskin
Food Project Litigation Director

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

NATIONAL PRESS PHOTOGRAPHERS
ASSOCIATION, *et al.*,

Plaintiffs,

v.

STEVEN MCCRAW, *et al.*,

Defendants.

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CIVIL ACTION NO.
1:19-cv-00946-RP

**DECLARATION OF ALICIA CALZADA IN SUPPORT OF
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND COSTS**

I, Alicia Calzada pursuant to 28 U.S.C. § 1746, declare the following:

1. I am the Deputy General Counsel for the National Press Photographers Association (NPPA), lead Plaintiff in this case. My position is an outside counsel position. I am sole member of Alicia Wagner Calzada, PLLC. In that capacity, I have personal knowledge of the matters set forth in this Declaration and could and would testify truthfully regarding them, if called upon.
2. This declaration is to support Plaintiffs' Motion for Attorneys' Fees and Costs, as well as to authenticate the hours attributable to myself. As outlined below, in the attached billing records, a reasonable fee for my work in this case would be for **310.8 hours** spent working on this case, at the reasonable local market rate of **\$425/hour** for an attorney of my unique skills and experience, for a total of **\$132,090**.

Relevant Experience

3. I am admitted to practice in the State of Texas, the State of Connecticut, the United States Courts for the Western, Northern, Southern and Eastern Districts of Texas, and the United States

Courts of Appeals for the Federal Circuit and the Ninth Circuit.

4. I became licensed to practice law in Texas in May of 2011, after obtaining my J.D. from St. Mary's University School of Law the prior December. I also hold a bachelor's degree in Journalism from the University of Texas at Austin. While in law school, I held judicial internships for the Hon. Rebecca Simmons, Fourth Court of Appeals of Texas and the Hon. Emilio Garza, U.S. Court of Appeals for the Fifth Circuit.

5. Prior to becoming an attorney, I was an award-winning photojournalist for 20 years, with work published in a broad range of books, magazines, newspapers and online publications. In 2003, I launched NPPA's Advocacy Committee and have served as the Advocacy Committee Chair since that time. From 2005-2006 I served as president of the NPPA. I have been serving as an attorney for the NPPA since 2011, immediately after I became licensed to practice law. In 2013, in honor of my years of work advocating for the First Amendment rights of photojournalists, NPPA established the Alicia Calzada First Amendment Award, which it has awarded annually to individuals who have shown a dedication to supporting the First Amendment rights of visual journalists. My work with NPPA primarily involves advocacy on First Amendment issues and copyright issues.

6. I have eleven years of legal experience in general civil litigation in both federal and state courts throughout Texas and other circuits. I was listed as one of the San Antonio Business Journal's Outstanding Lawyers in 2015. I worked as an associate at the law firm of Haynes and Boone from 2012 to 2017 out of their Austin and San Antonio offices. I have practiced in a variety of state courts across Texas including in Bexar County, Dallas County, Harris County, and Travis County. Accordingly, I am familiar with the standards for practicing law and the usual and customary fees for litigation of this nature. I am qualified by knowledge, research, skill,

experience, training and education to make the statements contained in this declaration.

7. In addition to my general civil litigation experience, my practice as an attorney has always involved First Amendment litigation and other advocacy work for journalists, trade associations and news organizations. I have represented a range of news organizations of all sizes and platforms, as well as industry trade organizations. I advocate for the profession with the U.S. Congress, the Texas state legislature, and in states around the country, on matters related to the First Amendment and particularly as it relates to visual journalism. This often also involves drone journalism as well. First Amendment law is highly complex, and only a small number of attorneys in the U.S. have both in-depth understanding of First Amendment law and an in-depth understanding of visual journalism and drones. My time as a photojournalist gives me further unique insight into news photography and how journalistic activities are affected by statutes like Ch. 423. In particular, the fact that I testified against Ch. 423 when the legislature was considering it as a bill, and my relationship with a large percentage of the visual journalists in the state of Texas allowed me to bring particular expertise in this case, and to NPPA in general.

8. I have participated in efforts to draft, introduce and obtain passage of several important pieces of state legislation affecting journalists in Texas, as well as a major piece of federal copyright legislation benefitting visual journalists, the 2019 CASE Act, which was signed into law in 2020. I have represented clients in a variety of federal and state cases as well as non-litigation matters. Additionally, I have represented clients in a variety of cases that resulted in important First Amendment state and federal court decisions, including *ExxonMobil Pipeline Company v. Coleman*, 512 S.W.3d 895 (Tex. 2107); *Iola Barker v. Hurst*, 632 S.W.3d 175, 181 (Tex. App. 2021); *Iola Barker v. Hurst*, No. 01-17-00838-CV, 2018 Tex. App. LEXIS 4555, at *1 (Tex. App. June 21, 2018); *Entravision Communications Corp., et al. v. Salinas*, 487 S.W.3d

276 (Tex. App.—Corpus Christi 2016, pet. denied); *Williams v. Cordillera Communications, Inc.*, 26 F.Supp.3d 624 (S.D. Tex. 2014); *KTRK Television, Inc. v. Robinson*, 409 S.W.3d 682 (Tex. App.—Houston [1st Dist.] 2013, pet. denied). I have also drafted and participated in drafting amicus briefs in several important First Amendment and Copyright cases including, *Allen v. Cooper*, 140 S. Ct. 994, 996 (2020); *Evox Productions LLC v. Verizon*, No. 21-56046 (9th Cir. opinion pending); *Garland v. Price*, No. 21-5073 (Fed. Cir., opinion pending); *Price v. Barr*, 514 F. Supp. 3d 171, 177 (D.D.C. 2021); *Brammer v. Violent Hues Productions, LLC*, 922 F.3d 255, (4th Cir. 2019); *VHT, Inc. v. Zillow Group, Inc.*, 918 F.3d 723, 729 (9th Cir. 2019), cert. denied, 140 S. Ct. 122, 205 L. Ed. 2d 41 (2019); *Rentmeester v. Nike, Inc.*, 139 S.Ct. 1375, U.S., Mar. 25, 2019 (denying cert.); *KBMT Operating Co., LLC v. Toledo*, 492 S.W.3d 710, 711 (Tex. 2016); *Neely v. Wilson*, 418 SW 3d 52 (Tex. 2013); *Texas Ethics Comm'n v. Sullivan*, 02-15-00103-CV, 2015 WL 6759306 (Tex. App.—Fort Worth Nov. 5, 2015, pet. denied).

Reasonably Expended Hours

9. This case is believed to be the first of its kind in the nation, where the constitutionality of a state drone law was challenged as a violation of the First and Fourteenth Amendments. As such it required meticulous effort and analysis. I began work on this case when the public interest law firm, Public Justice, and the Media Freedom and Information Access Clinic (“MFIA”) at Yale Law School both reached out to discuss working with NPPA to challenge Ch. 423. NPPA, Public Justice and MFIA then worked together to bring this case. NPPA has previously worked successfully with Public Justice to fight “Ag-gag” laws which are laws that restrict reporting on environmental and food-safety issues, and NPPA regards overbearing drone laws as Ag-gag laws. Likewise, NPPA has worked previously with MFIA on First Amendment issues. NPPA’s prior relationship with both organizations—and their experience on similar cases challenging

laws that violate the First Amendment—was important to the development of this case. Once it was determined that the Austin division of the Western District of Texas was the most appropriate venue for this case, we felt it was necessary to bring in local counsel in Austin to assist us with working specifically with the local court. For this reason, we reached out to Jim Hemphill of Graves, Dougherty, Hearon & Moody who is highly regarded both locally and nationally among media law attorneys.

10. Plaintiffs were lucky to secure local counsel from an attorney as highly regarded as Mr. Hemphill. Because drone journalism permits more accurate reporting on powerful agricultural and oil and gas facilities, many firms in Texas would have business conflict that precluded them from opposing a law that is perceived by their clients as beneficial.

11. Time was spent investigating facts and potential affiants and co-plaintiffs and researching the various legal theories that we considered in this novel case. As a part of the need to include the impact that Ch. 423 had on journalists and others in this case, I interviewed countless NPPA members, and other journalists and drone users, including some drone users that ultimately did not participate in the case. Many NPPA members and related news organizations were hesitant to participate for the same reasons that the law chilled their journalism use. We additionally sought co-plaintiffs from news organizations that ultimately decided it was better to allow the trade organizations to proceed without them. I also did a lot of initial consultation with co-plaintiff Joe Pappalardo and other potential co-plaintiffs to determine the appropriateness of their involvement. Ultimately the necessity of proceeding solely as two trade organizations and an individual plaintiff became clear.

12. I have been involved in this case since its inception and through every step. I did not do any of the filing in the case and my time entries did not include administrative work, or work that

could have otherwise been billed to a paralegal. Rather my work was specific to advancing the factual and legal arguments relevant to this case. Generally speaking, my work in this case included the following:

- a. initial investigations, related research and analysis of likelihood of success for various legal theories;
- b. interviewing and selecting potential affiants and possible co-plaintiffs, including upper management in news organizations;
- c. participating in the drafting of pleadings, including the Complaint and dispositive motions (as well as responses and replies to dispositive motions);
- d. consulting with corporate counsel for various news organizations;
- e. collecting evidence in response to discovery requests and drafting discovery responses;
- f. Working with NPPA members and NPPA to draft relevant declarations;
- g. Assisting NPPA and NPPA affiants with third parties with discovery requests, drafting responses to discovery.
- h. Participating in the drafting, reviewing and revisions to the complaint, the response to Defendants' motion to dismiss, Plaintiffs' summary judgment motion, the response to Defendants' summary judgment motion and other briefing,
- i. This declaration and related fee briefing.

13. As Deputy General Counsel for NPPA, I work with NPPA general counsel Mickey Osterreicher. Our advocacy work crosses a wide range of issues and venues and when NPPA engages in litigation, we do so in connection with outside counsel. We do not have the time or resources to manage cases without assistance. At the same time, it is not possible take a "hands

off’ approach. Our unique perspectives and in-depth understanding of the visual journalism industry, including drone journalism and NPPA’s mission and vision, requires us to be involved on a deeper level in cases such as these.

14. In addition to our general need to be involved in cases involving NPPA, I brought specific experience and perspective on Ch. 423 to this case. As an attorney representing NPPA and based in San Antonio, Texas, I met with lawmakers and testified before the legislature in 2013 when SB 912, the bill that resulted in Ch. 423, was being considered. In the years since its passage, I continually monitored the impact of Ch. 423, and talked to countless visual journalists in Texas, as well as their clients, their employers, their attorneys and others regarding both the confusion surrounding Ch. 423 and the chilling effect that it has had. Additionally, I met with lawmakers after the passage of Ch. 423 to try to get journalism added to the laundry-list of exceptions. I am likely the foremost expert on the impact that Ch. 423 has had on Texas journalists and I brought that unique perspective to this case. Additionally, I co-host the annual NPPA Drone Journalism Leadership Summit along with Mr. Osterreicher.

15. As we communicated with journalists and other drone operators on this case, we found many that were unwilling to testify in a legal case for the same reasons that Ch. 423 chilled their journalism. We also offered several news organizations the opportunity to participate as plaintiffs in the case. Ultimately, corporate shake-ups in the newspaper industry and other business concerns, unrelated to the importance of this case, resulted in the hesitancy of some journalists and news organizations to participate in this case. This illustrates the critical need for trade organizations, in particular NPPA, to carry the burden as a plaintiff in this case.

16. NPPA has an internal staff of three, and does not have the resources to independently fund or internally manage litigation such as this. Its ability to rely on MFIA, Public Justice, and

Jim Hemphill, as well as the work of myself and Mickey Osterreicher as outside counsel, were paramount to the ability of visual journalists to have a meaningful opportunity to challenge the offending portions of Chapter 423. See *Pennsylvania v. Del. Valley Citizens' Council for Clean Air*, 478 U.S. 546, 559, 106 S. Ct. 3088, 3095 (1986).

17. My co-counsel and I took special care to avoid overlap in the work we engaged in on this case and we worked to avoid duplication of effort in drafting pleadings and briefing. For example, while I did the majority of the fact-specific research and drafting, including legislative history both past and present, and meeting with a wide range of NPPA members, potential affiants, newspaper and TV editors. I worked closely with the NPPA affiants and I also drafted much of the relevant factual narrative in the pleadings and when others drafted such language, I ensured that it was consistent and accurate. I also worked to address industry-specific points such as the broad definitions of “commercial.” Meanwhile, other attorneys focused on fact gathering and drafting related to non-NPPA plaintiffs. I did very little research or drafting on legal issues such as standing, *ex parte Young*, Fourteenth Amendment, and sovereign immunity, which were handled by other attorneys, and to the extent NPPA had briefing on legal issues from prior cases we have been involved in, we contributed those arguments to reduce time spent.

18. Exhibit A to Plaintiffs’ Motion for Attorneys’ Fees and Costs includes a true and correct accounting of my time spent on this case, and the tasks described in the entries were actually expended on the topics stated. I maintained records contemporaneously as I worked, and the information from those records is contained in Exhibit A. I bill in six-minute increments, as is the standard practice among lawyers in Texas. I use the law practice management program Clio to track and print out my time. In order to record precise time for my clients—most of whom are small businesses—I use the timer feature in Clio while I work and turn the timer off when I stop

working.

19. I have a number of regular clients that I do legal work for, and I turned down other paid work and potential new clients in order to meet my obligations in this case. My time records are an exact, contemporaneous accounting of time spent on this case.

20. Co-counsel Mickey Osterreicher and I talk nearly every day because of our mutual client, and those calls often involve this case. However, I have included very few of the hours that Mr. Osterreicher and I spent discussing the case with NPPA leadership, or with each other. I have also not billed for hours I spent talking to NPPA members in relation to this case when I was not in the office and unable to contemporaneously track my time.

21. It is my professional opinion that the hours I expended at the time were reasonable and necessary, particularly considering the needs of this case, including the uniqueness of the law, the specific issues relevant to this case, the specific issues relevant to the visual journalism industry, the number of journalists who were potential participants, and the significant importance of this case to my client and its members.

Rates

22. Reasonable rates for this type of legal practice in media and First Amendment law in the Austin area is addressed in the declaration of Jim Hemphill, who is widely regarded as one of only a few experts in media law in Austin, Texas. When considering a reasonable hourly rate for attorneys in this practice area, media law is a very small niche, and one which few in Texas are well-experienced. Mr. Hemphill's testimony on rates is in line with what I experienced as an attorney in the Austin area when I practiced at Haynes and Boone, LLP, out of its Austin office.

23. Based on Mr. Hemphill's declaration, I believe that \$425 per hour would be appropriate for my work in this case. Based on 310.8 hours spent on this case, I am seeking \$132,090 for my

work on this case, subject to any upward adjustment that the Court finds appropriate.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
April 26, 2022.

/s/ Alicia Calzada

Alicia Calzada, Alicia Wagner Calzada, PLLC
Deputy General Counsel
National Press Photographers Association

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

NATIONAL PRESS PHOTOGRAPHERS
ASSOCIATION, *et al.*,

Plaintiffs,

v.

STEVEN MCCRAW, *et al.*,

Defendants.

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CIVIL ACTION NO.
1:19-cv-00946-RP

**DECLARATION OF MICKEY H. OSTERREICHER IN SUPPORT OF
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND COSTS**

I, Mickey H. Osterreicher, pursuant to 28 U.S.C. § 1746, declare the following:

1. I serve as General Counsel for the National Press Photographers Association ("NPPA"), a Plaintiff in this matter. I have been involved since the inception of this case and am intimately familiar with all the facts, circumstances, and proceedings to date, having served as a co-counsel for Plaintiffs in this action.
2. I have personal knowledge of the matters set forth in this Declaration and could and would testify truthfully regarding them, if called upon.
3. This declaration is to support Plaintiffs' Motion for Attorneys' Fees and Costs, as well as to authenticate the hours attributable to myself. As outlined below, in the attached billing records, a reasonable fee for my work in this case would be for **215.10 hours** spent working on this case, at the reasonable local market rate of **\$550.00/hour** for an attorney of my unique skills and experience, for a total of **\$118,305.00**.

NPPA Background

4. NPPA was founded in 1946 and as the *Voice of Visual Journalists*, is 501(c)(6) non-profit, membership-based organization that represents the interests of visual journalists.

5. Its mission statement includes:

- a. “Oppos[ing] violations and infringements of the rights of visual journalists or their organizations”; and
- b. “Support[ing] legislation favorable to, and oppos[ing] legislation unfavorable or prejudicial to visual journalists” (se: <https://nppa.org/bylaws>).

6. To further this mission, NPPA regularly advocates against legislation that restricts where photos or videos can be taken.

7. As part of NPPA’s mission, I and other representatives of NPPA also regularly participate in conferences and meetings seeking to clarify and articulate the rights of visual journalists.

8. I also regularly advise visual journalists as to where they can find information regarding their rights and representation to defend their rights.

9. NPPA’s participation in this suit is part and parcel of these efforts to further its mission.

10. The use of drones for newsgathering by visual journalists throughout the world and especially in the United States has grown exponentially in the past decade.

Relevant Experience & Expertise

11. I submit this declaration, based on my personal knowledge, in support of Plaintiffs’ Motion for an award of attorneys’ fees and expenses under the Civil Rights Attorney’s Fee Awards Act, 42 U.S.C. § 1988(b). This declaration is based upon personal knowledge, as well as discussions with my co-counsel.

12. I have served as General Counsel of NPPA since 2005, where I advocate on behalf of our members and all visual journalists regarding their First Amendment rights to gather and disseminate news, information and images. This is often in response to journalists being harassed, interfered with, cited and often arrested for doing nothing more than their jobs. I also spend a good deal of time training law enforcement officers and departments on the First, Fourth and Fourteenth Amendments rights and limitations of citizens and journalists to photograph and record police officers performing their official duties in public.

13. I have been qualified as an expert witness and submitted declarations in several cases throughout the country involving First Amendment protections related to newsgathering (see: Expert in *State of Hawaii v. Tommy Russo*, 2DCW-12-0000873. 2/12/14; Expert in *Gershkovich v. NYPD Captain Mark Iocco, et al.*, No. 15-cv-7280 RMB (S.D.N.Y. 2016); Expert in *Nicholas v. Bratton et al*, No. 1:2015cv09592 - Document 237 (S.D.N.Y. 2019); Declaration in *Buehler v. City of Austin*, No. A-13-CV-1100-ML, 2015 U.S. Dist. LEXIS 20878 (W.D. Tex. Feb. 20, 2015); Declaration in *Hussein v. County of Saint Louis, Missouri*, No. 4:14-cv-1410 JAR (E.D. Mo. 2014); Declaration in *Cariou v. Prince*, No. 08 CIV 11327 (DAB) (S.D.N.Y. 2013).

14. Additionally, I deal with many copyright issues as visual journalists' intellectual property rights are infringed by those who misappropriate images without permission, credit or compensation.

15. I meet with members of legislators on state and national levels regarding these issues.

16. I review our association's contracts and advise our board and executive committee on legal issues and correspond with our members via text, phone, email and on social media in response to their concerns and questions.

17. In that capacity I have also drafted and participated in drafting amicus briefs in several important First Amendment and Copyright cases including: *Allen v. Cooper*, 140 S. Ct. 994, 996 (2020); *Garland v. Price*, No. 21-5073 (Fed. Cir., opinion pending); *Price v. Barr*, 514 F. Supp. 3d 171, 177 (D.D.C. 2021); *Brammer v. Violent Hues Productions, LLC*, 922 F.3d 255, (4th Cir. 2019); *VHT, Inc. v. Zillow Group, Inc.*, 918 F.3d 723, 729 (9th Cir. 2019), cert. denied, 140 S. Ct. 122, 205 L. Ed. 2d 41 (2019); *Rentmeester v. Nike, Inc.*, 139 S.Ct. 1375, U.S., Mar. 25, 2019 (denying cert.); *Courtroom Television Network v. State*, 1 Misc. 3d 328, 769 N.Y.S.2d 70 (N.Y. Sup. Ct. 2003); *Western Watersheds v. Michael*, No. 16-8083 (10th Cir. 2017); *Nieves v. Bartlett*, 587 U.S. ____ (2019); *Higginbotham v. Sylvester*, 16-3994 (2d Cir. Jul. 25, 2018); *Leigh v. Salazar*, 677 F.3d 892 (9th Cir. 2010).

18. I have been involved in the issue of the use of drones for newsgathering as I believe it is the next natural progression in the First Amendment right to photograph and record matters of public concern.

19. In 2012, I was first interviewed for a story in the Harvard Law & Police Review: “Drones, Privacy and the Future of Photojournalism: An Interview with Photojournalist and National Press Photographers Association General Counsel Mickey Osterreicher by New York Times First Amendment Fellow Nabiha Syed.” (see: <https://tinyurl.com/2dcazrev>).

20. Since that time, I have published a Pepperdine Law review article, “Charting the Course for Use of Small Unmanned Aerial Systems in Newsgathering,” published in 2014 (see: <https://tinyurl.com/yxtmb3mv>) and also “Drones: The Final Frontier in Privacy Rights,” Media Law Resource Center 4/24/13.

21. In 2014 I also helped draft a media amicus brief in *Huerta v. Pirker*, 111814 USNTSB, CP-217, one of the first cases challenging the FAA authority to regulate the use of drones in order

to ensure “that United States law provides maximum opportunities, and only narrowly tailored restraints, for the safe and lawful use of unmanned aerial systems (‘UAS’) for newsgathering purposes” (Id.)

22. Over the years I have met with representatives of the FAA, DHS and members of the House and Senate Transportation Committees regarding the use of drones for newsgathering and have participated in meetings of and drafted comments to the FAA Drone Advisory and Rulemaking Committee (ARC) as well as the FAA Drone Advisory Committee (DAC). I was also a member of the FAA Beyond Visual Line of Sight Aviation Rulemaking Committee 2014-2015.

23. Between 2015 – 2016 I was a participating stakeholder in the National Telecommunications and Information Administration (NTIA) Voluntary Best Practices for UAS Privacy, Transparency, and Accountability Consensus, Stakeholder Process which ultimately drafted Best Practices Paper regarding commercial and private UAS use in the National Airspace System (see: <https://tinyurl.com/bdfsmu9u>).

24. In 2019 I was an official observer to the Uniform Law Commission (ULC) Tort Law Related to Drones Act Committee and submitted comments on behalf of the NPPA (see: 2019may15_UTLRDA_Comments_NPPA_Osterreicher.pdf)

25. Beginning in 2017 and for the past 4 years, I helped develop and organize NPPA Drone Journalism Leadership Summit, a convening of drone technology experts, newsroom leaders, educators and federal/state/local government agencies and first-responders to discuss the most pressing issues in drone use and how journalists, newsrooms and government authorities may better orient themselves around issues of safety, operations and ethics.

26. I have also attended, presented, and moderated panels on the use of drones for newsgathering at meetings of the FAA Drone Symposium, the Association for Uncrewed Vehicle

Systems International (AUVSI), the international association of Chiefs of Police (IACP) as well as for several national and state organizations.

27. I am a member of the advisory board of DRONERESPONDERS, a non-profit program created to unite aerial first responders, emergency managers, and search and rescue specialists under a unified organization to help learn, train, and test with one another with the ultimate objective of maximizing drone operations for public safety.

28. In 2022 I was asked to be a member of the National League of Cities (NLC) Ground to Air Planning (GAP) Data Governance Working Group comprised of state and local government officials and UAS industry stakeholders. It is focused on determining how states and local governments will store and share data related to UAS operations and ground space planning, including small UAS, UAS Traffic Management and Advanced Air Mobility systems.

Legal & Professional Background

29. I received a Bachelor of Science degree *cum laude* in photojournalism from the State University of New York at Buffalo in 1973.

30. I received my Juris Doctor degree *cum laude* from the State University of New York at Buffalo in 1998.

31. I was admitted to the Bar of the State of New York in 1999. I am also admitted to the Bars of the U.S Supreme Court, the U.S. Court of Appeals for the Second, Fourth, Ninth and D.C. Circuits as well as District Courts for the Eastern, Western and Southern Districts of New York.

32. For the first few years of my career, I was a solo attorney in general practice, handling a variety of criminal, civil, and family law matters.

33. From 2008 to 2011, I served as the head of legal affairs for the Erie County Department of Social Services for three years, where I supervised twenty-three attorneys and approximately one hundred sixty support staff.

34. From 2011 - 2019 I was *of Counsel* to Barclay Damon, LLP in the Media & First Amendment Law Practice Area where I represented news organizations and journalists in federal and state court regarding their First Amendment rights. I advised our media clients on these as well as contract and employment issues.

35. In 2019 I became *of Counsel* to Finnerty Osterreicher & Abdulla, where we are committed to advancing and defending the rights of the Press in all aspects of news gathering and dissemination. Our clients range from individual journalists to not-for-profit news organizations to multi-million-dollar media corporations.

36. I am a member in good standing of the New York State Bar Association, the American Bar Association and the First Amendment Lawyers Association.

37. Prior to becoming an attorney, I was an award-winning professional photojournalist with over forty years' experience in print and broadcast journalism. My work has appeared in such publications as the New York Times, Time, Newsweek and USA Today, as well as on ABC World News Tonight, Nightline, Good Morning America, NBC Nightly News and ESPN.

38. I have been a uniformed reserve Sheriff's Deputy with the Erie County Sheriffs Office since 1976 and was named Reserve Deputy of the Year in 2017.

39. The Society of Professional Journalists (SPJ) honored me in 2015 as a "Fellow of the Society," the highest professional honor given by the Society for extraordinary contribution to the profession.

40. In 2021 I was inducted into the Buffalo Broadcasters Hall of Fame.

NPPA Challenge to Texas Drone Law

41. When Chapter 423 of the Texas Government Code (“Texas Drone Law”) was enacted, it imposed civil and criminal penalties on the capture and creation of images using an Unmanned Aerial Vehicles (UAV more commonly referred to as a “drone”) by journalists in public airspace, yet arbitrarily exempted other members of the public from those proscriptions. NPPA Deputy Counsel Alicia Calzada, along with several NPPA members, testified against the bill because we were deeply concerned that such laws could interfere with, and chill visual journalists’ First Amendment protected activities.

42. Immediately after the passage of the Texas Drone Law, NPPA was contacted by visual journalists in Texas who were afraid of violating the new statutes.

43. These inquiries made clear that the Texas Drone Law was interfering with journalists’ ability to investigate and report on matters of public concern, and informed NPPA’s decision to participate in this litigation.

44. Throughout the pendency of this case, I kept contemporaneous time records, recorded in one-tenth (.10) hour increments.

45. The standard billing rate for my work is \$650.00 per hour.

46. I do not seek to recover fees for all time spent litigating the case but rather, have exercised billing judgment and provided courtesies for any time recordation that was not directly applicable to my role as counsel in this case.

Reasonably Expended Hours

47. This case is believed to be the first of its kind in the nation, where the constitutionality of a state drone law was challenged as a violation of the First and Fourteenth Amendments. As such it required meticulous effort and analysis. I began work on this case in January of 2018, when the public interest law firm, Public Justice, and the Media Freedom and Information Access Clinic

(“MFIA”) at Yale Law School both reached out to discuss working with NPPA to challenge Ch. 423. NPPA, Public Justice and MFIA then worked together to bring this case. NPPA has previously worked successfully with Public Justice to fight “Ag-gag” laws which are laws that restrict reporting on environmental and food-safety issues, and NPPA regards overbearing drone laws as Ag-gag laws. Likewise, NPPA has previously worked with MFIA on First Amendment claims. NPPA’s prior relationship with both organizations—and their experience on similar cases challenging laws that violate the First Amendment—was important to the development of this case. Once it was determined that the Austin division of the Western District of Texas was the most appropriate venue for this case, we felt it was necessary to bring in local counsel in Austin to assist us with working specifically with the local court. For this reason, we reached out to Jim Hemphill of Graves, Dougherty, Hearon & Moody who is highly regarded both locally and nationally among media law attorneys.

48. Because drone journalism often involves reporting on powerful agricultural and oil and gas facilities, many law firms in Texas would have conflict that precluded them from opposing a law that is perceived by their clients as beneficial and we were extremely pleased that Mr. Hemphill was available to represent us in Texas.

49. A good deal of time was spent investigating facts and potential affiants and co-plaintiffs and researching the various legal theories that we considered in this novel case. As a part of the need to include the impact that Ch. 423 had on journalists and others in this case, Ms. Calzada interviewed countless NPPA members, and other journalists and drone users, including some drone users that ultimately did not participate in the case. Many NPPA members and related news organizations were hesitant to participate for the same reasons that the law chilled their journalism use. We additionally sought co-plaintiffs from news organizations that ultimately decided it was

better to allow the trade organizations to proceed without them.

50. I have been involved in this case since its inception and through every step. I did not do any of the filing in the case and my time entries did not include administrative work, or work that could have otherwise been billed to a paralegal. Rather my work was specific to advancing the factual and legal arguments relevant to this case. Generally speaking, my work in this case included the following:

- a. initial investigations, related research and analysis of likelihood of success for various legal theories;
- b. selecting potential affiants and possible co-plaintiffs;
- c. participating in the drafting of pleadings, including the Complaint and dispositive motions (as well as responses and replies to dispositive motions);
- d. collecting evidence in response to discovery requests specific to NPPA;
- e. Working with NPPA staff to draft relevant declarations;
- f. Assisting NPPA with discovery responses.
- g. Participating in the drafting, reviewing and revisions to the complaint, the response to Defendants' motion to dismiss, Plaintiffs' summary judgment motion, the response to Defendants' summary judgment motion and other briefing,
- h. Identifying possible amici and coordinating with those groups to provide them with our filings;
- i. Drafting this declaration and reviewing related fee briefings.

51. As general counsel for NPPA, I work with NPPA deputy general counsel Alicia Calzada. Our advocacy work crosses a wide range of issues and venues and when NPPA engages in litigation, we do so in connection with outside counsel. We do not have the time or resources to

manage cases without assistance. At the same time, it is not possible take a “hands off” approach. Our unique perspectives and in-depth understanding of the visual journalism industry, including drone journalism and NPPA’s mission and vision, requires us to be involved on an deeper level in cases such as these.

52. In addition to our general need to be involved in cases pertaining to NPPA, I brought specific experience, expertise and perspective on FAA regulations related to drone use. As noted above as an attorney I am uniquely qualified as a leading expert on the First Amendment right to photograph and record matters of public concern and on drone use for newsgathering.

53. As NPPA communicated with journalists and other drone operators on this case, we found many that were unwilling to testify in a legal case for the same reasons that Ch. 423 chilled their journalism. We also offered several news organizations the opportunity to participate as plaintiffs in the case. Ultimately, corporate shake-ups in the newspaper industry and other business concerns, unrelated to the importance of this case, resulted in the hesitancy of some journalists and news organizations to participate. This illustrates the critical need for trade organizations, in particular NPPA, to carry the burden as a plaintiff in this case.

54. NPPA has an internal staff of three, and as such does not have the resources to independently fund or internally manage litigation such as this. Its ability to rely on MFIA, Public Justice, and Jim Hemphill, as well as the work of myself and Ms. Calzada, were paramount to the ability of visual journalists to have a meaningful opportunity to challenge the offending portions of Chapter 423. See *Pennsylvania v. Del. Valley Citizens' Council for Clean Air*, 478 U.S. 546, 559, 106 S. Ct. 3088, 3095 (1986).

55. My co-counsel and I took special care to avoid overlap in the work we engaged in on this case and we worked to avoid duplication of effort in drafting pleadings and briefing. For example,

as general counsel, and as an expert on drone law, I worked with NPPA staff on evidentiary and discovery responses and reviewed drafts to ensure they were consistent, accurate, and reflected the current state of visual journalism, drone law and drone technology. I also worked with Ms. Calzada to address industry-specific points such as the broad definitions of “commercial.” To the extent NPPA had experience and briefings on legal issues from prior cases we have been involved in, we contributed those arguments to reduce time spent on additional research.

56. Exhibit A to Plaintiffs’ Motion for Attorneys’ Fees and Costs includes a true and correct accounting of my time spent on this case, and the tasks described in the entries were actually expended on the topics stated. I maintained records contemporaneously as I worked, and the information from those records is contained in Exhibit A. I bill in six-minute increments, as is the standard practice among lawyers in New York.

57. My time records are an exact, contemporaneous accounting of time spent on this case.

58. Deputy general counsel Alicia Calzada and I talk nearly every day because of our deep involvement with NPPA, with those calls often related to some aspect of this case. However, I have included very few of the hours that Ms. Calzada and I spent discussing the case with NPPA leadership, or with each other. I have also not billed for hours I spent talking to amici about this case.

59. It is my professional opinion that the hours I expended at the time were reasonable and necessary, particularly considering the needs of this case, including the uniqueness of the law, the specific issues relevant to this case, the specific issues relevant to the visual journalism industry, the number of journalists who were potential participants, and the significant importance of this case to NPPA members and visual journalists nationwide.

Rates

60. Reasonable rates for this type of legal practice in media and First Amendment law in the Austin area are addressed in the declaration of Jim Hemphill, who is widely regarded as one of only a few experts in media law in Austin, Texas. When considering a reasonable hourly rate for attorneys in this practice area, media law is a very small niche, and one which few in Texas are well-experienced.

61. Based on Mr. Hemphill's declaration, I believe that \$550.00 per hour would be appropriate for my work in this case. Based on 215.10 hours spent on this case, I am seeking \$118,305.00 for my work on this case, subject to any upward adjustment that the Court finds appropriate.

In accordance with 28 U.S.C. § 1746 and under penalty of perjury, I swear that the foregoing is true and correct.

Dated: April 26, 2022

Mickey H. Osterreicher

Mickey H. Osterreicher
General Counsel
National Press Photographers Association
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Buffalo, NY 13201
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lawyer@nppa.org

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

NATIONAL PRESS PHOTOGRAPHERS
ASSOCIATION, *et al.*,

Plaintiffs,

v.

STEVEN MCCRAW, *et al.*,

Defendants.

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CIVIL ACTION NO.
1:19-cv-00946-RP

**DECLARATION OF DAVID A. SCHULZ IN SUPPORT OF
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND COSTS**

I, David A. Schulz, hereby declare:

1. I am the Floyd Abrams Clinical Lecturer at Yale Law School, where I serve as director of the Media Freedom and Information Access Clinic ("MFIA"). Along with Michael Linhorst, Esq. and student members of MFIA, I have served as a co-counsel for Plaintiffs in this action.

2. MFIA is a law student clinic dedicated to increasing government transparency, defending the essential work of news gatherers, and protecting freedom of expression by providing pro bono legal services, pursuing impact litigation and developing policy initiatives. *See About the Media Freedom and Information Access Clinic*, <https://law.yale.edu/mfia/about> (last visited April 8, 2022). MFIA's dual missions are to support robust journalism in the digital age and to advance the public's right of access to information needed for democracy to function. *Id.* MFIA regularly litigates First Amendment, freedom of information, and media freedom claims on behalf of journalists and advocates like the Plaintiffs in this case.

3. The Clinic is composed of its Director and two Fellows, who are all licensed attorneys, and approximately 20 to 30 Yale Law School students each semester. Student interns work directly on the Clinic's cases, under attorney supervision, to obtain clinical legal training. Yale Law students receive academic credit for participating in the Clinic. Law students from other ABA-accredited institutions or recent law school graduates are also hired by the MFIA Clinic to work for pay during periods when Yale Law School is not in session.

4. I submit this declaration in support of Plaintiffs' application for an award of attorneys' fees and expenses under the Civil Rights Attorney's Fee Awards Act, 42 U.S.C. § 1988(b). This declaration is based upon personal knowledge, as well as discussions with members and former members of the MFIA Clinic.

MFIA's Involvement with this Case

5. The MFIA Clinic was approached by the National Press Photographers Association in 2017 for advice on a potential challenge to Chapter 423 of the Texas Government Code. Law student interns in the clinic thereafter engaged in significant factual research into the impact of the law on journalists in Texas and undertook extensive legal research to build, together with co-counsel, the theories that prevailed in this case. The case presented several novel legal issues that had to be untangled and posed significant standing questions. The legal and factual research of the law student interns was essential to Plaintiffs' ultimate success.

6. As further explained in the declaration of James A. Hemphill, counsel working on the case coordinated their activities to efficiently litigate the case and avoid duplication of efforts. In close consultation with the other attorneys representing Plaintiffs, MFIA student interns performed key tasks at every step of the litigation. Among other things, their research was integral to constructing the legal theories advanced in the Complaint; they prepared initial

drafts of the complaint and other pleadings, they conducted the research and did initial drafting of the memoranda prepared to successfully defend the complaint against a motion to dismiss, the crafted the discovery demands and analyzed the discovery responses; and they did the research and initial drafting of the successful summary judgment papers, including an extensive statement of undisputed material facts.

Hours Reasonably Expended

7. It is the policy of the MFIA Clinic that students and attorneys keep contemporaneous time records of their work, recording time spent along with a brief description of the work performed. I have reviewed the time records of the MFIA students and attorneys who worked on this matter and can attest that the time reported in Exhibit A to Plaintiffs' Motion for Attorneys' Fees and Costs was actually expended on the topics stated and includes time that, in my assessment, was reasonably spent and necessary to the success of this matter.

8. In presenting hours worked in Exhibit A, I have *excluded* all time that attorneys and law student interns spent in team supervision meetings, classroom discussion, and other pedagogical activity. I have also excluded time spent by the law student interns doing background research on legal and procedural issues that are common to most federal litigation, as well as the time spent researching legal theories that were not ultimately pursued and time spent researching the federal preemption claim that the Court rejected on defendants' motion to dismiss. The MFIA Clinic seeks recovery only for time dedicated to preparing the court filings and other legal work product specific to this matter.

9. It is worth noting that some students and Fellows who performed valuable work on this litigation failed to keep contemporaneous records of their hours. Based on my supervision of those students, I know that they collectively spent scores of additional hours for

which we are not seeking any award of fees. The total number of hours for which we seek to recover fees is significantly less than the productive time actually invested in this litigation by the MFIA Clinic.

10. The time reflected in Exhibit A was obtained from time contemporaneously entered by each timekeeper on software maintained by the Yale Law School. I reviewed the descriptions of the work performed by each timekeeper to eliminate excessive or otherwise non-billable time entries, as described above, and also have edited some descriptions to make uniform each timekeeper's entries concerning the legal work product produced in the various stages of the case. Where a timekeeper's time entry did not sufficiently specify the nature of the work completed to discern what tasks were accomplished, I deleted the entry.

11. As detailed in Exhibit A, the MFIA Clinic seeks in total to recover for 294.8 hours of the time of law student interns, 91.3 hours of Mr. Linhorst's time, and 23 hours of my time,

Relevant Experience.

David A. Schulz

12. Since graduating from Yale Law School in 1978, I have counseled and defended journalists and news organizations in all aspects of their newsgathering and publication of the news. For 25 years, I worked in the media law group at Rogers & Wells (now Clifford Chance US), including seven years as an associate and eighteen years as a partner, five of which I spent as head of the Media Law Practice group. In 2003, I left to open the New York office of Levine Sullivan Koch & Schulz, LLP (LSKS), a national law firm specializing in media law and intellectual property litigation. In 2017, LSKS was acquired by Ballard Spahr LLP and, since 2017, I have continued my practice at Ballard Spahr LLP as a Senior Counsel. I am a member in good standing of the Bars of New York, Connecticut, and the District of Columbia.

13. Since 2010, I have served as a Director of the MFIA Clinic and a clinical lecturer at Yale Law School. I am also a Senior Research Scholar at the Abrams Institute for Freedom of Expression at Yale Law School. In these capacities, I have overall responsibility for overseeing the work of the MFIA Clinic.

14. Before 2010, I had taught media law as an adjunct professor at Columbia Law School for seven years and at Fordham Law School in New York City for two decades. I have authored numerous articles and reports on issues surrounding newsgathering and access rights. I am a co-author of the leading treatise on newsgathering rights now in its fifth edition, L. Levine, et al., *Newsgathering and the Law* (Lexis/Nexis 2020). For many years I authored an annual summary of developments in the law of access for the Practicing Law Institute (PLI), and earlier served as co-chair of PLI's bi-annual conference on newsgathering.

15. I have four decades of experience litigating First Amendment and media freedom cases. I have successfully litigated to conclusion scores of cases in state and federal courts at all levels and have appeared as an expert witness in the United Kingdom on U.S. law concerning the right to photograph. I have advised numerous journalists and news organizations on First Amendment and other legal issues involved in gathering and publishing news, including issues surrounding photography and the use of drones.

Michael Linhorst

16. Since August 2020, Mr. Linhorst has served as the Newmark Fellow for the MFIA Clinic and a Clinical Lecturer in Law at Yale Law School.

17. Mr. Linhorst graduated from Harvard Law School in 2017. From 2017 to 2019, he worked as a litigation associate at Quinn Emanuel Urquhart & Sullivan, LLP in New York, New

York. Following that, Mr. Linhorst served as a law clerk to Hon. D. Brock Hornby in the District of Maine from 2019 to 2020.

18. Mr. Linhorst is a member in good standing of the Bar of New York.

Appropriate Rates.

19. In seeking fee recoveries in federal litigation in New York, the MFIA Clinic regularly uses a matrix of reasonable hourly rate prepared by the Civil Division of the Department of Justice, available at <https://www.justice.gov/file/1461316/download>. Under this matrix, my reasonable hourly rate currently would be \$665. Mr. Linhorst's current rate would be \$380, and the current rate for law student interns under this matrix would be \$180. In the interest of resolving this fee request, we have agreed to use local rates for this fee application. I understand that a fair market rate in Austin for an attorney with my years of experience currently would be \$625; the rate for Mr. Linhorst would be \$350, and the paralegal/ law student intern rate would be \$145.

20. The rate requested for MFIA's law student interns is consistent with prior holdings of courts in this Circuit that work by law students is appropriately compensated at the prevailing paralegal/clerk rate. *See, e.g., Rouse v. Target Corp.*, 181 F. Supp. 3d 379, 391 (S. D. Tex. 2016). Cases from other districts similarly confirm that law student work is reasonably compensated at paralegal rates. *See Schwartz v. United States Drug Enf't Admin.*, No. 13-CV-5004, 2019 WL 1299192, at *9 (E.D.N.Y. Mar. 1, 2019), *report and recommendation adopted*, 2019 WL 1299660 (E.D.N.Y. Mar. 21, 2019) (finding a rate of \$200 an hour reasonable for law students working as summer associates); *M.C. ex rel. E.C. v. Dep't of Educ.*, No. 12 Civ. 9281, 2013 WL 2403485, at *7–8 (S.D.N.Y. June 4, 2013) (approving an hourly rate of \$125 for law students working in a clinical program); *Froio v. McDonald*, No. 12-3483, 2015 WL 3439252, at

*8 (U.S. Ct. App. Vet. Cl. May 29, 2015) (approving fee application claiming a rate of \$145 for law students in a Harvard Law School clinic); Application for Appellant at 11-12, *Froio*, No. 12-3483 (U.S. Ct. App. Vet. Cl. filed June 11, 2014).

21. Therefore, the MFIA Clinic seeks to recover \$42,746 for the time of its law student interns; \$31,955 for Mr. Linhorst's time on this case; and, \$14,375 for my time. In total, the MFIA Clinic seeks an award of reasonable fee in the amount of \$89,076.

22. MFIA also seeks recovery of actual out of pocket expenses incurred as itemized on Exhibit B, which total \$400.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 26th day of April 2022 in New Haven, CT.

/s/ David A. Schulz
David A. Schulz (*pro hac vice*)
Media Freedom and Information
Access Clinic
Yale Law School
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| Date | Source Name | Memo | Amount |
|------------|--------------------------|--|-------------|
| 09/26/2019 | Court fees | Filing fee | \$ 400.00 |
| 09/27/2019 | Court fees | Filing fees for five co-counsel admissions: Schulz, Pinsof, Procaccini, Nicholls, Brueckne | \$ 500.00 |
| 10/05/2019 | Premiere Global Services | Conference call of 9/10/19 | \$ 12.51 |
| 10/09/2019 | Austin Process LLC | Service on W. Mau | \$ 95.00 |
| 10/09/2019 | Austin Process LLC | Service on S. McCraw | \$ 75.00 |
| 10/09/2019 | Austin Process LLC | Service on R. Joy | \$ 70.00 |
| 11/30/2019 | West Payment Center | Case Research - November 1-30, 2019 | \$ 1,119.90 |
| 12/31/2019 | West Payment Center | Case Research - December 1-31, 2019 | \$ 3.18 |
| 01/31/2020 | West Payment Center | Case Research - January 1-31, 2020 | \$ 7.80 |
| 03/31/2020 | West Payment Center | Case Research - March 1-31, 2020 | \$ 35.49 |
| 07/29/2021 | Court fees | Filing fee for co-counsel admission: Osterreicher | \$ 100.00 |
| | | | |
| | | Total | \$ 2,018.88 |

| Date | User | Hours | Description | Rate (\$) | Billable (\$) |
|-----------|----------------|-------|---|-----------|---------------|
| 1/31/2018 | Alicia Calzada | 3.1 | Communicate with team from Yale Law School clinic about potential lawsuit challenging Texas drone statute; review memo and other communications on legal challenges to anti-drone laws. | \$425 | \$1,317.50 |
| 2/1/2018 | Alicia Calzada | 1.0 | Communicate with member about potential lawsuit related to Texas drone law. | \$425 | \$425.00 |
| 2/6/2018 | Alicia Calzada | 2.7 | Communicate with lawyers from Public Justice regarding concerns related to drone laws; follow up communications. | \$425 | \$1,147.50 |
| 2/8/2018 | Alicia Calzada | 0.5 | communicate with Yale clinic regarding drone law challenge. | \$425 | \$212.50 |
| 2/13/2018 | Alicia Calzada | 0.2 | Communicate with Texas attorneys about drone law. | \$425 | \$85.00 |
| 2/22/2018 | Alicia Calzada | 3.4 | Meet with Public Justice to discuss legal challenge to Texas drone law and draft and send follow up communications; review testimony of HB 912 from 2013. | \$425 | \$1,445.00 |
| 3/1/2018 | Alicia Calzada | 0.2 | Communicate with potential co-plaintiffs for drone lawsuit. | \$425 | \$85.00 |
| 3/2/2018 | Alicia Calzada | 0.7 | Communicate with potential co-plaintiff in drone lawsuit and organize list of possible plaintiffs | \$425 | \$297.50 |
| 3/6/2018 | Alicia Calzada | 0.8 | Meet with Public Justice and Yale clinic about potential plaintiffs in drone lawsuit. | \$425 | \$340.00 |
| 3/7/2018 | Alicia Calzada | 0.3 | Communicate with Mr. Osterreicher re drone law. | \$425 | \$127.50 |
| 3/20/2018 | Alicia Calzada | 0.1 | Communicate with NPPA leadership about state drone law. | \$425 | \$42.50 |
| 3/23/2018 | Alicia Calzada | 0.3 | Reach out to potential co-plaintiffs for possible lawsuit to challenge Texas. Ch. 423 drone law, for updates and follow-up calls | \$425 | \$127.50 |
| 3/26/2018 | Alicia Calzada | 0.6 | Reach out to potential plaintiffs for Ch. 423 drone lawsuit. | \$425 | \$255.00 |
| 3/27/2018 | Alicia Calzada | 1.0 | Participate in phone meeting regarding drone lawsuit. | \$425 | \$425.00 |
| 3/28/2018 | Alicia Calzada | 1.5 | Meet with Public Justice, Yale Law School Clinic and potential plaintiff in drone lawsuit. | \$425 | \$637.50 |
| 3/28/2018 | Alicia Calzada | 0.5 | Research potential lobbyists who might have influenced Ch. 423 drone law. | \$425 | \$212.50 |
| 3/29/2018 | Alicia Calzada | 0.3 | Drone lawsuit: Review public information request from Ms. Douglin. | \$425 | \$127.50 |
| 4/4/2018 | Alicia Calzada | 0.4 | Advise co-counsel on PIA request targets in support of Drone lawsuit. | \$425 | \$170.00 |
| 4/5/2018 | Alicia Calzada | 2.1 | Drone lawsuit: communicate with potential plaintiff; continue reviewing and revising public information request. | \$425 | \$892.50 |
| 4/10/2018 | Alicia Calzada | 0.4 | Participate in conference call on legal challenge to Texas drone law. | \$425 | \$170.00 |
| 4/17/2018 | Alicia Calzada | 0.7 | Participate in conference call with co-counsel to discuss case updates and strategy for Texas drone lawsuit. | \$425 | \$297.50 |
| 4/17/2018 | Alicia Calzada | 1.8 | Research federal judges and best venue for filing Ch. 423 drone lawsuit and communicate research to co-counsel. | \$425 | \$765.00 |
| 4/24/2018 | Alicia Calzada | 0.8 | Participate in phone meeting with co-counsel to discuss next steps in Texas Drone lawsuit and follow up communications. | \$425 | \$340.00 |
| 5/8/2018 | Alicia Calzada | 0.4 | Review draft affidavit for drone lawsuit and communicate with co-counsel on same. | \$425 | \$170.00 |
| 5/8/2018 | Alicia Calzada | 1.1 | Review Summary of Arguments concerning preemption of state drone laws and communicate with co-counsel on same. | \$425 | \$467.50 |

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|-----------|----------------|-----|--|-------|------------|
| 5/9/2018 | Alicia Calzada | 1.0 | Communicate with NPPA member who will give NPPA standing in drone lawsuit about his drone journalism activities and obstacles posed by Ch. 423; follow up with co-counsel on same. | \$425 | \$425.00 |
| 5/10/2018 | Alicia Calzada | 1.3 | Review Injunction memo draft in drone lawsuit. | \$425 | \$552.50 |
| 5/15/2018 | Alicia Calzada | 1.3 | Communicate with member regarding Texas drone law and problem with access. | \$425 | \$552.50 |
| 5/15/2018 | Alicia Calzada | 1.1 | Participate in call with co-counsel on Ch. 423 Texas drone lawsuit to discuss draft preliminary injunction and pre-emption argument. | \$425 | \$467.50 |
| 5/22/2018 | Alicia Calzada | 0.7 | Talk with Ms. Bloch-Wehba about draft injunction for Texas drone lawsuit. | \$425 | \$297.50 |
| 5/29/2018 | Alicia Calzada | 1.4 | Confer with Ms. Brueckner and Ms. Nicholls on next steps in Ch. 423 drone case, updates on potential plaintiffs, need for drafting declarations, and updates to legal arguments. | \$425 | \$595.00 |
| 6/5/2018 | Alicia Calzada | 0.3 | Communicate with co-counsel on pre-emption and next steps on Texas drone lawsuit. | \$425 | \$127.50 |
| 6/11/2018 | Alicia Calzada | 1.2 | Prepare draft affidavit for Brandon Wade for Texas Drone lawsuit. | \$425 | \$510.00 |
| 6/25/2018 | Alicia Calzada | 0.4 | Communicate with Mr. Osterreicher about drone lawsuit. | \$425 | \$170.00 |
| 6/26/2018 | Alicia Calzada | 1.0 | Communicate with member about Texas drone law and related lawsuit. | \$425 | \$425.00 |
| 6/29/2018 | Alicia Calzada | 0.7 | Prepare for and participate in meeting on Texas drone lawsuit. | \$425 | \$297.50 |
| 7/31/2018 | Alicia Calzada | 0.8 | Phone meeting regarding next steps for Ch. 423 Texas drone lawsuit and follow-up communications. | \$425 | \$340.00 |
| 8/3/2018 | Alicia Calzada | 0.6 | Begin drafting affidavit of G. Calzada for Ch. 423 Drone lawsuit. | \$425 | \$255.00 |
| 8/7/2018 | Alicia Calzada | 1.8 | Organize documents and prepare for phone call on moving forward with Texas Drone lawsuit; participate in phone call with MFIA and Public Justice. | \$425 | \$765.00 |
| 8/8/2018 | Alicia Calzada | 0.8 | Draft research requests and assignments for Texas Drone law challenge. | \$425 | \$340.00 |
| 8/16/2018 | Alicia Calzada | 1.0 | Participate in call on drone challenge. | \$425 | \$425.00 |
| 9/11/2018 | Alicia Calzada | 0.9 | Participate in group call on Texas Drone challenge and do follow up research and communications related to caselaw on i-----, and affidavits. | \$425 | \$382.50 |
| 9/13/2018 | Alicia Calzada | 0.3 | Communicate with co-counsel on Texas drone challenge | \$425 | \$127.50 |
| 9/14/2018 | Alicia Calzada | 1.3 | In preparation of Texas Drone challenge, review and revise affidavit of Joe Pappalardo; review and revise affidavit of Brandon Wade; review and revise affidavit of Robert Youens. | \$425 | \$552.50 |
| 9/17/2018 | Alicia Calzada | 3.2 | Communicate with affiant Robert Youens and continue drafting affidavit for Texas drone challenge and forward for his review; communicate with Brandon Wade and revise his affidavit; communicate with affiant Joe Pappalardo and continue drafting his affidavit and forward for his review. | \$425 | \$1,360.00 |
| 9/23/2018 | Alicia Calzada | 0.8 | Communicate with member about Drone lawsuit | \$425 | \$340.00 |
| 10/2/2018 | Alicia Calzada | 2.0 | Meet with Yale MFIA clinic to discuss draft Texas Drone complaint; research best citations to industry definition of commercial photography. | \$425 | \$850.00 |
| 10/4/2018 | Alicia Calzada | 1.0 | Communicate with Yale MFIA clinic to discuss drone lawsuit. | \$425 | \$425.00 |
| 10/9/2018 | Alicia Calzada | 1.5 | Travel to New Haven and meet in person with Yale Freedom of Information clinic to discuss Texas drone lawsuit. | \$425 | \$637.50 |

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| 10/16/2018 | Alicia Calzada | 1.0 | Review Draft of complaint in Texas Drone lawsuit. | \$425 | \$425.00 |
| 10/22/2018 | Alicia Calzada | 0.5 | Review B. Wade affidavits related to Texas Drone lawsuit and revise | \$425 | \$212.50 |
| 10/31/2018 | Alicia Calzada | 0.5 | Review current draft of Complaint in drone lawsuit and discuss potential plaintiffs with Mr. Osterreicher. | \$425 | \$212.50 |
| 11/6/2018 | Alicia Calzada | 3.3 | TX drone- review compliant draft and participate in group phone call with co-counsel; review research on proper defendants and conduct research on same. | \$425 | \$1,402.50 |
| 11/7/2018 | Alicia Calzada | 0.7 | Texas Drone lawsuit- call member who is affiant to discuss updates and strategy; communicate with attorney for potential media corporation plaintiff. | \$425 | \$297.50 |
| 11/8/2018 | Alicia Calzada | 0.5 | Communicate with editor of potential plaintiff in Texas drone lawsuit; communicate with Mr. Osterreicher on potential plaintiff. | \$425 | \$212.50 |
| 11/12/2018 | Alicia Calzada | 3.6 | Review Texas drone Complaint, make revisions to draft, and conduct related research on claims. | \$425 | \$1,530.00 |
| 11/16/2018 | Alicia Calzada | 0.7 | Communicate with Mr. Osterreicher and Mr. Schulz about affiants and plaintiffs in Texas drone lawsuit. | \$425 | \$297.50 |
| 11/16/2018 | Alicia Calzada | 0.2 | Communicate with editor of Texas newspaper about affidavits in Texas drone lawsuit. | \$425 | \$85.00 |
| 12/4/2018 | Alicia Calzada | 1.0 | Meet with co-counsel to discuss draft of complaint in Texas Drone lawsuit. | \$425 | \$425.00 |
| 12/5/2018 | Alicia Calzada | 0.4 | Review latest draft of Texas Drone Complaint | \$425 | \$170.00 |
| 12/6/2018 | Alicia Calzada | 0.6 | Continue review of latest draft complaint in Texas Drone lawsuit. | \$425 | \$255.00 |
| 12/7/2018 | Alicia Calzada | 3.3 | Continue review and insert comments and suggestions into Texas Drone Complaint draft. | \$425 | \$1,402.50 |
| 12/10/2018 | Alicia Calzada | 0.5 | Communicate with Mr. Osterreicher about drone lawsuit. | \$425 | \$212.50 |
| 12/11/2018 | Alicia Calzada | 1.0 | Communicate via phone with co-counsel regarding draft complaint revisions in Texas drone lawsuit. | \$425 | \$425.00 |
| 1/8/2019 | Alicia Calzada | 0.5 | Communicate with co-counsel on Texas drone lawsuit updates and pending questions on complaint and affidavits. | \$425 | \$212.50 |
| 1/9/2019 | Alicia Calzada | 0.5 | Participate in call on draft complaint in Texas drone lawsuit | \$425 | \$212.50 |
| 1/28/2019 | Alicia Calzada | 0.9 | Draft affidavits for Dallas Morning News affiants for Texas Drone Lawsuit | \$425 | \$382.50 |
| 1/28/2019 | Alicia Calzada | 0.7 | Communicate with Mr. Osterreicher and representatives of drone company to discuss pre-emption section of Ch. 423 for possible carve out from Texas Drone lawsuit. | \$425 | \$297.50 |
| 2/8/2019 | Alicia Calzada | 2.8 | Texas drone lawsuit: review memos on proper defendants; review comments about facts related to news gathering; review memo on venue; review draft complaint from January 23. | \$425 | \$1,190.00 |
| 2/11/2019 | Alicia Calzada | 4.9 | Texas drone lawsuit: Review and make suggested revisions to most recent draft of Complaint. | \$425 | \$2,082.50 |
| 2/12/2019 | Alicia Calzada | 1.3 | Texas drone lawsuit: Review Mr. Osterreicher's revisions to the complaint and communicate with him on same. | \$425 | \$552.50 |
| 2/13/2019 | Alicia Calzada | 0.9 | Texas drone lawsuit- phone call with Plaintiff Pappalardo for update on status of case; follow up on his updates with co-counsel. | \$425 | \$382.50 |
| 2/18/2019 | Alicia Calzada | 0.5 | Texas drone lawsuit- review and communicate on standing allegations and draft. | \$425 | \$212.50 |

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| 2/26/2019 | Alicia Calzada | 0.8 | Texas drone lawsuit- participate in phone meeting on updates related to Texas drone lawsuit. | \$425 | \$340.00 |
| 2/27/2019 | Alicia Calzada | 1.7 | Texas drone lawsuit- review opinion, concurrence and dissent in Texas high court opinion on law held unconstitutional on its face implicating the First Amendment. | \$425 | \$722.50 |
| 3/4/2019 | Alicia Calzada | 0.4 | Texas Drone lawsuit- Review co-counsel agreement and make suggested revisions. | \$425 | \$170.00 |
| 3/5/2019 | Alicia Calzada | 0.7 | Texas drone lawsuit; communicate with MFIA on NPPA organizational standing; participate in phone call on same. | \$425 | \$297.50 |
| 3/18/2019 | Alicia Calzada | 0.5 | Texas drone lawsuit- Communicate with MFIA clinic members on Texas Press Association standing questions and recommended language on NPPA standing allegations. | \$425 | \$212.50 |
| 3/18/2019 | Alicia Calzada | 0.7 | Texas drone lawsuit- communicate with affiants about times to talk via phone with MFIA for factual questions. | \$425 | \$297.50 |
| 3/19/2019 | Alicia Calzada | 1.1 | Texas drone lawsuit- communicate via phone with Plaintiff Pappalardo and MFIA about factual allegations; finalize NPPA standing allegations. | \$425 | \$467.50 |
| 3/19/2019 | Alicia Calzada | 0.5 | Participate in conference call on status of complaint in Texas Drone law challenge. | \$425 | \$212.50 |
| 3/20/2019 | Alicia Calzada | 0.7 | Texas Drone lawsuit- meet via phone with affiant Brandon Wade to discuss facts and send follow-up email. | \$425 | \$297.50 |
| 3/20/2019 | Alicia Calzada | 0.6 | Texas drone lawsuit- Meet with Affiant to discuss facts in affidavit and complaint. | \$425 | \$255.00 |
| 3/27/2019 | Alicia Calzada | 0.5 | Communicate with members and leaders about drone lawsuit. | \$425 | \$212.50 |
| 4/2/2019 | Alicia Calzada | 0.6 | Drone lawsuit- call with Plaintiff representative Donnis Baggett and MFIA. | \$425 | \$255.00 |
| 4/5/2019 | Alicia Calzada | 0.3 | In Texas Drone lawsuit, communicate with MFIA and Mr. Osterreicher about new local counsel. | \$425 | \$127.50 |
| 4/9/2019 | Alicia Calzada | 0.2 | In Texas drone lawsuit, participate in conference call with co-counsel on possible new local counsel. | \$425 | \$85.00 |
| 4/15/2019 | Alicia Calzada | 0.8 | For Texas drone lawsuit, communicate via phone with two photographers who use drones for journalism in Texas to discuss possible participation as affiants. | \$425 | \$340.00 |
| 4/16/2019 | Alicia Calzada | 3.9 | For Texas drone lawsuit, review a dozen pending bills in Texas legislature that would impact the Texas drone law challenge and claims asserted, analyze bills and report findings to co-counsel. | \$425 | \$1,657.50 |
| 4/22/2019 | Alicia Calzada | 0.5 | Communicate with MFIA about drone lawsuit (30 min). | \$425 | \$212.50 |
| 4/30/2019 | Alicia Calzada | 0.5 | Communicate with DJI on Texas drone legislation in relation to lawsuit. | \$425 | \$212.50 |
| 5/21/2019 | Alicia Calzada | 0.3 | Communicate with lobbyists from other organizations about drone bill in Texas as it relates to lawsuit. | \$425 | \$127.50 |
| 6/24/2019 | Alicia Calzada | 0.7 | Research results of Texas legislative session as it relates to Ch. 423 the drone law; communicate with Yale clinic about results of legislature and drone lawsuit. | \$425 | \$297.50 |
| 7/15/2019 | Alicia Calzada | 0.1 | Review Texas drone bill analysis. | \$425 | \$42.50 |
| 7/22/2019 | Alicia Calzada | 0.5 | Communicate with Mr. Osterreicher about next steps in Texas drone lawsuit. | \$425 | \$212.50 |
| 8/9/2019 | Alicia Calzada | 0.5 | Communicate with Mr. Osterreicher about Texas drone ch. 423 lawsuit strategy and participate in conference call with co-counsel on upcoming filing plans. | \$425 | \$212.50 |

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| 9/9/2019 | Alicia Calzada | 4.8 | Review and make revisions to current version of draft complaint in Texas Drone ch. 423 lawsuit, communicate with Mr. Osterreicher on same. | \$425 | \$2,040.00 |
| 9/9/2019 | Alicia Calzada | 0.3 | Review co-counsel agreement for Texas drone Ch. 423 lawsuit. | \$425 | \$127.50 |
| 9/10/2019 | Alicia Calzada | 1.5 | Participate in call with co-counsel on TX Drone Ch. 423 lawsuit; continue review of retainer agreement for same. | \$425 | \$637.50 |
| 9/11/2019 | Alicia Calzada | 0.5 | Communicate with Mr. Osterreicher about drone lawsuit. | \$425 | \$212.50 |
| 9/13/2019 | Alicia Calzada | 1.6 | Participate in meeting with Public Justice and affiant Brandon Wade regarding publicity on Ch. 423 drone lawsuit; participate in meeting with Public Justice PR and fellow plaintiff Joe Pappalardo regarding publicity on drone lawsuit. | \$425 | \$680.00 |
| 9/16/2019 | Alicia Calzada | 1.0 | Communicate with team on remaining action items for filing Texas drone lawsuit challenging Ch. 423; revise disclosure statements for TPA and NPPA for same. | \$425 | \$425.00 |
| 9/16/2019 | Alicia Calzada | 1.8 | Review and revise draft press release regarding Drone lawsuit; make additional revisions to complaint. | \$425 | \$765.00 |
| 9/19/2019 | Alicia Calzada | 0.8 | Communicate with Brandon Wade about draft facts in Texas Drone lawsuit; communicate with plaintiff Joe Pappalardo about draft. | \$425 | \$340.00 |
| 9/22/2019 | Alicia Calzada | 2.0 | Final read-through and suggested edits of Complaint in Texas Drone Law/ Ch. 423 Complaint. | \$425 | \$850.00 |
| 9/23/2019 | Alicia Calzada | 0.9 | Review changes to Texas drone lawsuit complaint and forward to team. | \$425 | \$382.50 |
| 9/24/2019 | Alicia Calzada | 1.1 | Call with litigation team in Ch. 423 Texas Drone lawsuit. | \$425 | \$467.50 |
| 10/6/2019 | Alicia Calzada | 0.3 | Review questions about Texas Drone lawsuit. | \$425 | \$127.50 |
| 10/8/2019 | Alicia Calzada | 0.8 | Ch. 423/ Texas Drone lawsuit call with co-counsel; send follow-up communications to legal team with evidence from legislative history. | \$425 | \$340.00 |
| 10/22/2019 | Alicia Calzada | 0.5 | Participate in litigation team meeting on Drone lawsuit, ch. 429. | \$425 | \$212.50 |
| 10/22/2019 | Alicia Calzada | 0.4 | Review op-ed of Brandon Wade in Texas drone ch. 423 lawsuit. | \$425 | \$170.00 |
| 10/25/2019 | Alicia Calzada | 0.3 | Communicate with Mr. Osterreicher about drone lawsuit. | \$425 | \$127.50 |
| 11/7/2019 | Alicia Calzada | 1.0 | Review Motion to dismiss in Texas Drone law challenge and make notes | \$425 | \$425.00 |
| 11/10/2019 | Alicia Calzada | 0.7 | Participate in NPPA executive committee meeting to provide update drone lawsuit and other matters. | \$425 | \$297.50 |
| 11/19/2019 | Alicia Calzada | 0.5 | Phone meeting with co-counsel to discuss potential intervening plaintiff and response to 12(b)(6) motion to dismiss in Texas Drone lawsuit challenge to Ch. 423. | \$425 | \$212.50 |
| 11/25/2019 | Alicia Calzada | 0.3 | Communicate with Mr. Osterreicher about drone lawsuit brief. | \$425 | \$127.50 |
| 11/25/2019 | Alicia Calzada | 0.2 | Review memo in opposition to motion to dismiss in Texas drone lawsuit challenging ch. 423. | \$425 | \$85.00 |
| 11/26/2019 | Alicia Calzada | 2.4 | Make suggested revisions to memo in opposition to motion to dismiss in Texas drone lawsuit challenging ch. 423. | \$425 | \$1,020.00 |
| 11/27/2019 | Alicia Calzada | 0.7 | Continue review and communicate on response to motion to dismiss in Texas drone lawsuit challenging ch. 423. | \$425 | \$297.50 |

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| 11/28/2019 | Alicia Calzada | 0.5 | Communicate with MFIA and Plaintiff Pappalardo about Texas Ch. 423 drone lawsuit response to motion to dismiss. | \$425 | \$212.50 |
| 12/2/2019 | Alicia Calzada | 2.5 | Review and suggest revisions to TX Drone law Response to Motion to Dismiss. ch. 423 | \$425 | \$1,062.50 |
| 12/3/2019 | Alicia Calzada | 0.3 | Ch. 423 drone lawsuit phone meeting with co-counsel. | \$425 | \$127.50 |
| 12/9/2019 | Alicia Calzada | 0.2 | Communicate about potential amici in Texas Drone law challenge. | \$425 | \$85.00 |
| 12/17/2019 | Alicia Calzada | 0.4 | Review potential amicus brief proposals in Ch. 423 Texas drone law challenge. | \$425 | \$170.00 |
| 12/19/2019 | Alicia Calzada | 1.0 | Review Reply to Response to Motion to dismiss in Texas drone lawsuit. | \$425 | \$425.00 |
| 12/20/2019 | Alicia Calzada | 0.6 | Phone meeting with Texas drone lawsuit legal team to discuss gov't Reply brief in motion to dismiss, and potential amicus briefs. | \$425 | \$255.00 |
| 12/20/2019 | Alicia Calzada | 0.6 | Review amicus brief outline in Texas Drone lawsuit for factual questions. | \$425 | \$255.00 |
| 12/30/2019 | Alicia Calzada | 1.3 | Review Sur-reply in Texas drone lawsuit and relevant case law. | \$425 | \$552.50 |
| 2/11/2020 | Alicia Calzada | 0.5 | Review documents from MFIA team regarding Texas drone law challenge to Ch. 423. | \$425 | \$212.50 |
| 3/6/2020 | Alicia Calzada | 0.7 | Review communications about additional legal challenge to Ch. 423 Texas drone statute (in state court in Victoria) and its impact on our lawsuit. | \$425 | \$297.50 |
| 3/9/2020 | Alicia Calzada | 0.4 | Communicate with attorneys on new lawsuit challenging Ch. 423 in Texas Drone lawsuit. | \$425 | \$170.00 |
| 3/10/2020 | Alicia Calzada | 2.6 | Review pleadings in relevant state court case and communicate with counsel about Texas procedural questions, for Texas Drone law ch. 423 challenge. | \$425 | \$1,105.00 |
| 3/17/2020 | Alicia Calzada | 1.0 | Participate in call with Texas drone lawsuit team; research court closures and deadlines with respect to Coronavirus disaster declaration/ exigent circumstances. | \$425 | \$425.00 |
| 3/18/2020 | Alicia Calzada | 3.0 | In support of our case, begin drafting amicus brief in separate state case challenging Texas Ch. 423 drone law. | \$425 | \$1,275.00 |
| 3/18/2020 | Alicia Calzada | 0.0 | Review Victoria lawsuit amicus brief in support of our Texas Ch. 423 drone law challenge. | \$425 | \$0.00 |
| 3/19/2020 | Alicia Calzada | 3.2 | Review and revise Victoria lawsuit amicus brief in support of our Texas Ch. 423 drone law challenge; draft declaration in support of amicus brief. | \$425 | \$1,360.00 |
| 3/20/2020 | Alicia Calzada | 3.0 | Finalize amicus brief in support of Ch. 423 Texas drone law challenge; finalize declaration and exhibits and file. | \$425 | \$1,275.00 |
| 3/23/2020 | Alicia Calzada | 0.7 | Review draft press release from Public Justice which relates to Texas Drone Lawsuit challenging Ch. 423; send updates on court closures to drone lawsuit team. | \$425 | \$297.50 |
| 6/1/2020 | Alicia Calzada | 0.0 | Communicate with members about press inquiry related to drone lawsuit. | \$425 | \$0.00 |
| 6/9/2020 | Alicia Calzada | 1.2 | Review information on Victoria, Texas case related to drone law and communicate with team on same. | \$425 | \$510.00 |
| 6/10/2020 | Alicia Calzada | 0.3 | Communicate regarding Victoria drone case related to our challenge of Ch. 423. | \$425 | \$127.50 |
| 7/13/2020 | Alicia Calzada | 0.9 | Assist members with inquiry on drone lawsuit. | \$425 | \$382.50 |
| 7/14/2020 | Alicia Calzada | 0.8 | Review and forward recommendations on op-ed related to drone law. | \$425 | \$340.00 |
| 7/17/2020 | Alicia Calzada | 0.9 | Communicate with reporter about questions related to Texas drone lawsuit. | \$425 | \$382.50 |
| 8/26/2020 | Alicia Calzada | 1.6 | Review and forward state of Texas Amicus brief in Kolle case. | \$425 | \$680.00 |
| 8/27/2020 | Alicia Calzada | 0.6 | Communicate with allies on drone lawsuit. | \$425 | \$255.00 |
| 9/10/2020 | Alicia Calzada | 0.4 | Participate in virtual meeting with litigation team on updates/ lack of updates. | \$425 | \$170.00 |

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| 9/28/2020 | Alicia Calzada | 0.2 | Begin drafting comments on TX drone law for legislative committee with lawsuit in mind. | \$425 | \$85.00 |
| 9/30/2020 | Alicia Calzada | 5.5 | Draft testimony for Texas Senate Committee on Business and Commerce interim charge. | \$425 | \$2,337.50 |
| 10/1/2020 | Alicia Calzada | 0.5 | Finalize comment on Texas drone law for Texas legislative interim charge. | \$425 | \$212.50 |
| 10/2/2020 | Alicia Calzada | 2.1 | Finalize and submit testimony to Texas legislature regarding drone law and our lawsuit. | \$425 | \$892.50 |
| 10/22/2020 | Alicia Calzada | 0.3 | Communicate with team on meeting and public information request; communicate with lawmakers on official comments related to Ch. 423. | \$425 | \$127.50 |
| 11/4/2020 | Alicia Calzada | 0.9 | Communicate with litigation team on upcoming deadlines; review settlement deadline draft letter and communicate with Mr. Osterreicher and Mr. Hemphill as well as Ms. Ramsess and Mr. Stanfill on same. | \$425 | \$382.50 |
| 11/6/2020 | Alicia Calzada | 2.4 | Begin review of Motion for Summary Judgment Draft; participate in meeting with litigation team. | \$425 | \$1,020.00 |
| 11/19/2020 | Alicia Calzada | 0.7 | Receive call from ----- about ----- and -----; communicate with Mr. Osterreicher on same. | \$425 | \$297.50 |
| 11/20/2020 | Alicia Calzada | 0.7 | Meet with legal team to discuss strategy and updates; draft and send follow-up email. | \$425 | \$297.50 |
| 11/30/2020 | Alicia Calzada | 2.1 | Review Order on Motion to Dismiss; communicate with team and leadership on same. | \$425 | \$892.50 |
| 12/1/2020 | Alicia Calzada | 0.5 | Continue communications on order denying motion to dismiss. | \$425 | \$212.50 |
| 12/1/2020 | Alicia Calzada | 0.5 | Review Order on Motion to Dismiss; communicate with team and leadership on same. | \$425 | \$212.50 |
| 12/4/2020 | Alicia Calzada | 1.7 | Meet with legal team to discuss ruling, upcoming deadlines, and affidavits; send follow-up communications. | \$425 | \$722.50 |
| 12/14/2020 | Alicia Calzada | 0.6 | Meet with potential amicus filer to discuss case. | \$425 | \$255.00 |
| 1/19/2021 | Alicia Calzada | 0.4 | Meet with potential amicus brief filer to discuss case. | \$425 | \$170.00 |
| 2/5/2021 | Alicia Calzada | 0.2 | Communicate with co-counsel on Rule 26 conference. | \$425 | \$85.00 |
| 2/22/2021 | Alicia Calzada | 0.4 | Review Rule 26 draft. | \$425 | \$170.00 |
| 3/2/2021 | Alicia Calzada | 0.6 | Meet with legal team to discuss state disclosures and MSJ | \$425 | \$255.00 |
| 3/2/2021 | Alicia Calzada | 0.8 | Organize and download case files and communicate on same. | \$425 | \$340.00 |
| 3/25/2021 | Alicia Calzada | 1.7 | Review and suggest revisions to RFPs and Interrogatories. | \$425 | \$722.50 |
| 3/25/2021 | Alicia Calzada | 0.8 | Meet with legal team to discuss discovery request drafts. | \$425 | \$340.00 |
| 4/1/2021 | Alicia Calzada | 2.5 | Begin reviewing discovery requests from Defendants and communicate with affiants on same. | \$425 | \$1,062.50 |
| 4/2/2021 | Alicia Calzada | 0.2 | Communicate with co-counsel on discovery requests. | \$425 | \$85.00 |
| 4/5/2021 | Alicia Calzada | 1.1 | Communicate with Mr. Osterreicher about discovery requests targeting NPPA. | \$425 | \$467.50 |
| 4/5/2021 | Alicia Calzada | 0.9 | Meet with legal team to discuss discovery response. | \$425 | \$382.50 |
| 4/5/2021 | Alicia Calzada | 0.6 | Begin searching for responsive documents related to discovery requests. | \$425 | \$255.00 |
| 4/9/2021 | Alicia Calzada | 0.4 | Meet with staffer to discuss NPPA discovery requests. | \$425 | \$170.00 |
| 4/13/2021 | Alicia Calzada | 0.7 | Meet with team to discuss discovery progress. | \$425 | \$297.50 |
| 4/14/2021 | Alicia Calzada | 1.3 | Meet with staff to discuss NPPA discovery requests; | \$425 | \$552.50 |
| 4/17/2021 | Alicia Calzada | 4.1 | Assist Mr. Calzada with searches and other related tasks for compliance with requests for production. | \$425 | \$1,742.50 |

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| 4/17/2021 | Alicia Calzada | 3.0 | Draft objections to request for production for Mr. Calzada. | \$425 | \$1,275.00 |
| 4/17/2021 | Alicia Calzada | 1.2 | Communicate with co-counsel and Hearst attorneys, about requests for production of NPPA members Mr. Calzada and Mr. Wade | \$425 | \$510.00 |
| 4/19/2021 | Alicia Calzada | 0.3 | Communicate with co-counsel and Hearst attorneys, about requests for production of NPPA members Mr. Calzada and Mr. Wade | \$425 | \$127.50 |
| 4/23/2021 | Alicia Calzada | 1.9 | Prepare for and participate in meeting with co-counsel on discovery responses. | \$425 | \$807.50 |
| 4/23/2021 | Alicia Calzada | 5.1 | Review and revise NPPA discovery objections and responses and review documents for production and continue search for responsive documents. | \$425 | \$2,167.50 |
| 4/24/2021 | Alicia Calzada | 3.4 | Draft responses and objections for Brandon Wade subpoena. | \$425 | \$1,445.00 |
| 4/24/2021 | Alicia Calzada | 3.2 | Search files for documents and information responsive to discovery directed at NPPA. | \$425 | \$1,360.00 |
| 4/25/2021 | Alicia Calzada | 0.5 | Call with Brandon Wade to discuss subpoena and response. | \$425 | \$212.50 |
| 4/25/2021 | Alicia Calzada | 4.1 | Make additional revisions and additions to NPPA discovery responses | \$425 | \$1,742.50 |
| 4/28/2021 | Alicia Calzada | 1.2 | Meet with co-counsel to discuss final discovery responses. | \$425 | \$510.00 |
| 5/3/2021 | Alicia Calzada | 1.5 | Communicate with potential affiant and communicate with co-counsel on same. | \$425 | \$637.50 |
| 5/10/2021 | Alicia Calzada | 1.2 | Review discovery production and upload to secure server to transfer to Mr. Hemphill. | \$425 | \$510.00 |
| 5/13/2021 | Alicia Calzada | 1.5 | Meet with co-counsel to discuss discovery responses and MSJ drafting. | \$425 | \$637.50 |
| 5/26/2021 | Alicia Calzada | 2.6 | Review, revise and make additions to the affidavit of G. Calzada including analysis of recent events and legislative activity. | \$425 | \$1,105.00 |
| 5/29/2021 | Alicia Calzada | 3.1 | Review and revise Brandon Wade affidavit. | \$425 | \$1,317.50 |
| 6/1/2021 | Alicia Calzada | 0.5 | Revise Calzada affidavit and forward to Hearst attorneys. | \$425 | \$212.50 |
| 6/1/2021 | Alicia Calzada | 0.7 | Review draft of motion for summary judgment. | \$425 | \$297.50 |
| 6/2/2021 | Alicia Calzada | 1.0 | Continue drafting declarations and communicate with counsel, witnesses, and attorneys for witness on drafts of declarations in support of MSJ. | \$425 | \$425.00 |
| 6/7/2021 | Alicia Calzada | 1.9 | Continue working on witness declarations and motion for summary judgment draft. | \$425 | \$807.50 |
| 6/8/2021 | Alicia Calzada | 4.4 | Review MSJ | \$425 | \$1,870.00 |
| 6/9/2021 | Alicia Calzada | 0.5 | Continue review of Motion for Summary Judgment and affidavits | \$425 | \$212.50 |
| 6/10/2021 | Alicia Calzada | 5.2 | Continue review of Motion for Summary Judgment and related affidavits | \$425 | \$2,210.00 |
| 6/12/2021 | Alicia Calzada | 0.8 | Continue review of Motion for Summary Judgment draft. | \$425 | \$340.00 |
| 6/14/2021 | Alicia Calzada | 1.0 | Communicate with co-counsel on MSJ and amici. | \$425 | \$425.00 |
| 6/16/2021 | Alicia Calzada | 1.0 | Build case notebook | \$425 | \$425.00 |
| 6/17/2021 | Alicia Calzada | 2.5 | Review draft of motion for summary judgment. | \$425 | \$1,062.50 |
| 6/18/2021 | Alicia Calzada | 1.5 | Meet with co-counsel to discuss MSJ draft. | \$425 | \$637.50 |
| 6/18/2021 | Alicia Calzada | 3.7 | Insert suggested revisions and photo exhibits into current MSJ draft | \$425 | \$1,572.50 |
| 6/21/2021 | Alicia Calzada | 2.9 | Finalize declarations of Wade, Calzada and NPPA; review DPS written testimony received after multiple requests from state committee on business and commerce. | \$425 | \$1,232.50 |
| 6/22/2021 | Alicia Calzada | 0.1 | Review Motion for Extension of time to file dispositive motions | \$425 | \$42.50 |
| 6/25/2021 | Alicia Calzada | 0.6 | Communicate with co-counsel about MSJ evidence. | \$425 | \$255.00 |
| 6/28/2021 | Alicia Calzada | 0.2 | Review and share information regarding amici. | \$425 | \$85.00 |

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| 6/29/2021 | Alicia Calzada | 2.1 | Research new developments in 5th circuit 1A caselaw. | \$425 | \$892.50 |
| 6/30/2021 | Alicia Calzada | 1.0 | Communicate with ----- on drone lawsuit. | \$425 | \$425.00 |
| 7/2/2021 | Alicia Calzada | 0.5 | Communicate with Mr. Osterreicher about amici in drone case. | \$425 | \$212.50 |
| 7/2/2021 | Alicia Calzada | 3.0 | Review draft of MSJ, make suggested edits. | \$425 | \$1,275.00 |
| 7/8/2021 | Alicia Calzada | 1.3 | Assist with final documents for MSJ | \$425 | \$552.50 |
| 7/8/2021 | Alicia Calzada | 5.0 | Review and make suggested revisions to final draft of Motion for Summary Judgement, including checking and suggesting revisions to record citations. | \$425 | \$2,125.00 |
| 7/9/2021 | Alicia Calzada | 0.7 | Review Motion to Intervene and response and draft suggested language. | \$425 | \$297.50 |
| 7/10/2021 | Alicia Calzada | 3.2 | Review State Defendants Motion for Summary Judgment and related exhibits. | \$425 | \$1,360.00 |
| 7/12/2021 | Alicia Calzada | 1.5 | Additional review of State Motion for Summary Judgment and Communicate with co-counsel on same. | \$425 | \$637.50 |
| 7/13/2021 | Alicia Calzada | 0.9 | Meet with co-counsel | \$425 | \$382.50 |
| 7/16/2021 | Alicia Calzada | 0.2 | Review Reply brief filed on Motion to Intervene. | \$425 | \$85.00 |
| 7/16/2021 | Alicia Calzada | 1.3 | Review outline of Response to State MSJ | \$425 | \$552.50 |
| 7/19/2021 | Alicia Calzada | 0.2 | Communicate with Mr. Osterreicher about intervenor filing | \$425 | \$85.00 |
| 7/19/2021 | Alicia Calzada | 1.1 | Meet with co-counsel to discuss Reponse to Motion for Summary Judgment and draft communications with co-counsel on same. | \$425 | \$467.50 |
| 8/2/2021 | Alicia Calzada | 5.1 | Review and make suggested revisions to response to state Motion for Summary Judgment. | \$425 | \$2,167.50 |
| 8/3/2021 | Alicia Calzada | 0.2 | Continue review of response to state motion for summary judgment. | \$425 | \$85.00 |
| 8/4/2021 | Alicia Calzada | 1.0 | Continue review of draft response to state motion for summary judgment | \$425 | \$425.00 |
| 8/12/2021 | Alicia Calzada | 1.5 | Review State Response to our MSJ and make comments and related notes. | \$425 | \$637.50 |
| 8/14/2021 | Alicia Calzada | 1.0 | Communicate with co-counsel on reply brief. | \$425 | \$425.00 |
| 8/20/2021 | Alicia Calzada | 2.8 | Review draft of Reply Brief and make suggested revisions. | \$425 | \$1,190.00 |
| 8/22/2021 | Alicia Calzada | 0.5 | Review final draft of Reply brief. | \$425 | \$212.50 |
| 8/23/2021 | Alicia Calzada | 0.9 | Continue review of final draft of Reply brief. | \$425 | \$382.50 |
| 8/23/2021 | Alicia Calzada | 1.0 | Review draft of brief of amici and communicate with co-counsel and potential amici. | \$425 | \$425.00 |
| 8/25/2021 | Alicia Calzada | 0.5 | Communicate with co-counsel about state Reply brief and potential amici. | \$425 | \$212.50 |
| 9/20/2021 | Alicia Calzada | 0.7 | Communicate with Texas journalist about drone law and our lawsuit. | \$425 | \$297.50 |
| 10/15/2021 | Alicia Calzada | 1.0 | Communicate with member on drone law question and our drone lawsuit. | \$425 | \$425.00 |
| 3/2/2022 | Alicia Calzada | 1.0 | Meet with co-counsel to discuss supplemental pleading in drone lawsuit. | \$425 | \$425.00 |
| 3/30/2022 | Alicia Calzada | 2.9 | Follow up communications on Texas drone lawsuit win. | \$425 | \$1,232.50 |
| 4/6/2022 | Alicia Calzada | 0.8 | Meet with co-counsel to discuss fee application. | \$425 | \$340.00 |
| 4/6/2022 | Alicia Calzada | 2.8 | Review hours and related fee information in preparation for affidavit and fee motion. | \$425 | \$1,190.00 |
| 4/12/2022 | Alicia Calzada | 3.1 | Review spreadsheet of time entries; begin drafting declaration in support of fees. | \$425 | \$1,317.50 |
| 4/13/2022 | Alicia Calzada | 8.0 | Draft motion for fees; continue drafting declaration in support of fees. | \$425 | \$3,400.00 |
| 4/15/2022 | Alicia Calzada | 2.5 | Review motion in support of fees and related declaration, make revisions, and forward to co-counsel. | \$425 | \$1,062.50 |

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| 4/19/2022 | Alicia Calzada | 1.0 | Review and revise declaration on fees. | \$425 | \$425.00 |
| | | 310.8 | Total Calzada | | \$132,090.00 |
| 3/7/2018 | Mickey Osterreicher | 0.3 | Email/TC w/ AWC | \$550 | \$165.00 |
| 3/20/2018 | Mickey Osterreicher | 0.1 | TC w/ NPPA EC | \$550 | \$55.00 |
| 3/27/2018 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 3/28/2018 | Mickey Osterreicher | 1.5 | Email/TC w/co-counsel | \$550 | \$825.00 |
| 3/28/2018 | Mickey Osterreicher | 0.5 | Research TX Ch. 423 | \$550 | \$275.00 |
| 4/10/2018 | Mickey Osterreicher | 0.4 | Email/TC w/co-counsel | \$550 | \$220.00 |
| 4/17/2018 | Mickey Osterreicher | 0.7 | Email/TC w/co-counsel | \$550 | \$385.00 |
| 4/24/2018 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 5/8/2018 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 5/8/2018 | Mickey Osterreicher | 0.4 | Review draft affidavit | \$550 | \$220.00 |
| 5/8/2018 | Mickey Osterreicher | 1.1 | Research/Review Federal Preemption | \$550 | \$605.00 |
| 5/10/2018 | Mickey Osterreicher | 1.3 | Review Draft Memo | \$550 | \$715.00 |
| 5/15/2018 | Mickey Osterreicher | 1.1 | Email/TC w/co-counsel | \$550 | \$605.00 |
| 6/5/2018 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 6/11/2018 | Mickey Osterreicher | 1.2 | Review draft affidavit | \$550 | \$660.00 |
| 6/17/2018 | Mickey Osterreicher | 0.2 | Email/TC w/ AWC | \$550 | \$110.00 |
| 6/25/2018 | Mickey Osterreicher | 0.4 | Email/TC w/ AWC | \$550 | \$220.00 |
| 6/29/2018 | Mickey Osterreicher | 0.7 | Email/TC w/co-counsel | \$550 | \$385.00 |
| 7/31/2018 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 8/5/2018 | Mickey Osterreicher | 0.6 | Review draft affidavit | \$550 | \$330.00 |
| 8/7/2018 | Mickey Osterreicher | 1.8 | Case Document Review | \$550 | \$990.00 |
| 8/8/2018 | Mickey Osterreicher | 0.8 | Research | \$550 | \$440.00 |
| 8/16/2018 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 9/11/2018 | Mickey Osterreicher | 0.9 | Email/TC w/co-counsel | \$550 | \$495.00 |
| 9/13/2018 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 9/14/2018 | Mickey Osterreicher | 1.3 | Review & revise affidavits | \$550 | \$715.00 |
| 10/2/2018 | Mickey Osterreicher | 2.0 | Email/TC w/co-counsel | \$550 | \$1,100.00 |
| 10/4/2018 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 10/16/2018 | Mickey Osterreicher | 1.0 | Review Draft of complaint | \$550 | \$550.00 |
| 10/22/2018 | Mickey Osterreicher | 0.5 | Review & revise affidavits | \$550 | \$275.00 |
| 10/31/2018 | Mickey Osterreicher | 0.5 | Email/TC w/ AWC | \$550 | \$275.00 |
| 11/6/2018 | Mickey Osterreicher | 3.3 | Review/revise draft complaint | \$550 | \$1,815.00 |
| 11/6/2018 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 11/8/2018 | Mickey Osterreicher | 0.5 | Email/TC w/ AWC | \$550 | \$275.00 |
| 11/12/2018 | Mickey Osterreicher | 3.6 | Review/revise draft complaint | \$550 | \$1,980.00 |

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| 11/16/2018 | Mickey Osterreicher | 0.7 | Email/TC w/ AWC | \$550 | \$385.00 |
| 12/4/2018 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 12/5/2018 | Mickey Osterreicher | 0.4 | Review/revise draft complaint | \$550 | \$220.00 |
| 12/6/2018 | Mickey Osterreicher | 0.6 | Review/revise draft complaint | \$550 | \$330.00 |
| 12/7/2018 | Mickey Osterreicher | 3.3 | Review/revise draft complaint | \$550 | \$1,815.00 |
| 12/10/2018 | Mickey Osterreicher | 0.5 | Email/TC w/ AWC | \$550 | \$275.00 |
| 12/11/2018 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 1/8/2019 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 1/9/2019 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 1/28/2019 | Mickey Osterreicher | 0.7 | Email/TC w/ AWC | \$550 | \$385.00 |
| 2/8/2019 | Mickey Osterreicher | 2.8 | Review/revise draft complaint | \$550 | \$1,540.00 |
| 2/11/2019 | Mickey Osterreicher | 4.9 | Review/revise draft complaint | \$550 | \$2,695.00 |
| 2/12/2019 | Mickey Osterreicher | 1.3 | Email/TC w/ AWC | \$550 | \$715.00 |
| 2/18/2019 | Mickey Osterreicher | 0.5 | Review/revise draft complaint | \$550 | \$275.00 |
| 2/26/2019 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 2/27/2019 | Mickey Osterreicher | 1.7 | Research | \$550 | \$935.00 |
| 3/4/2019 | Mickey Osterreicher | 0.4 | Review & revise co-counsel agreement | \$550 | \$220.00 |
| 3/5/2019 | Mickey Osterreicher | 0.7 | Email/TC w/co-counsel | \$550 | \$385.00 |
| 3/18/2019 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 3/19/2019 | Mickey Osterreicher | 1.1 | Email/TC w/co-counsel | \$550 | \$605.00 |
| 3/19/2019 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 4/5/2019 | Mickey Osterreicher | 0.3 | Email/TC w/ AWC | \$550 | \$165.00 |
| 4/9/2019 | Mickey Osterreicher | 0.2 | Email/TC w/co-counsel | \$550 | \$110.00 |
| 4/22/2019 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 4/30/2019 | Mickey Osterreicher | 0.5 | Email f/t TX Drone Community Reps | \$550 | \$275.00 |
| 5/21/2019 | Mickey Osterreicher | 0.3 | Email f/t TX Drone Community Reps | \$550 | \$165.00 |
| 7/15/2019 | Mickey Osterreicher | 0.2 | Review/revise draft complaint | \$550 | \$110.00 |
| 7/22/2019 | Mickey Osterreicher | 0.5 | Email/TC w/ AWC | \$550 | \$275.00 |
| 8/9/2019 | Mickey Osterreicher | 0.5 | Email/TC w/ AWC | \$550 | \$275.00 |
| 9/9/2019 | Mickey Osterreicher | 4.8 | Review/revise draft complaint | \$550 | \$2,640.00 |
| 9/9/2019 | Mickey Osterreicher | 0.3 | Email/TC w/ AWC | \$550 | \$165.00 |
| 9/10/2019 | Mickey Osterreicher | 1.5 | Email/TC w/co-counsel | \$550 | \$825.00 |
| 9/11/2019 | Mickey Osterreicher | 0.5 | Email/TC w/ AWC | \$550 | \$275.00 |
| 9/16/2019 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 9/16/2019 | Mickey Osterreicher | 1.5 | Review & revise draft press release | \$550 | \$825.00 |
| 9/22/2019 | Mickey Osterreicher | 2.0 | Review/revise draft complaint | \$550 | \$1,100.00 |
| 9/23/2019 | Mickey Osterreicher | 0.5 | Review/revise draft complaint | \$550 | \$275.00 |
| 9/24/2019 | Mickey Osterreicher | 1.1 | Email/TC w/co-counsel | \$550 | \$605.00 |

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| 10/6/2019 | Mickey Osterreicher | 0.3 | Review/revise draft complaint | \$550 | \$165.00 |
| 10/8/2019 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 10/11/2019 | Mickey Osterreicher | 0.3 | Email f/t TX Drone Community Reps | \$550 | \$165.00 |
| 10/22/2019 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 10/25/2019 | Mickey Osterreicher | 0.3 | Email/TC w/ AWC | \$550 | \$165.00 |
| 11/7/2019 | Mickey Osterreicher | 1.0 | Review MTD | \$550 | \$550.00 |
| 11/10/2019 | Mickey Osterreicher | 0.7 | TC/ w/ NPPA EC | \$550 | \$385.00 |
| 11/19/2019 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 11/25/2019 | Mickey Osterreicher | 0.3 | Email/TC w/ AWC | \$550 | \$165.00 |
| 11/25/2019 | Mickey Osterreicher | 0.2 | Review/revise MTD memo | \$550 | \$110.00 |
| 11/26/2019 | Mickey Osterreicher | 2.4 | Review/revise MTD memo | \$550 | \$1,320.00 |
| 11/27/2019 | Mickey Osterreicher | 0.7 | Review/revise MTD memo | \$550 | \$385.00 |
| 12/2/2019 | Mickey Osterreicher | 2.0 | Review/revise MTD memo | \$550 | \$1,100.00 |
| 12/3/2019 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 12/9/2019 | Mickey Osterreicher | 0.2 | Email/TC w/co-counsel | \$550 | \$110.00 |
| 12/17/2019 | Mickey Osterreicher | 0.4 | Email/TC w/ amici | \$550 | \$220.00 |
| 12/19/2019 | Mickey Osterreicher | 1.0 | Review/revise MTD memo | \$550 | \$550.00 |
| 12/20/2019 | Mickey Osterreicher | 0.6 | Email/TC w/co-counsel | \$550 | \$330.00 |
| 12/20/2019 | Mickey Osterreicher | 0.6 | Email/TC w/ amici | \$550 | \$330.00 |
| 12/30/2019 | Mickey Osterreicher | 1.3 | Review/revise Sur-reply | \$550 | \$715.00 |
| 1/10/2020 | Mickey Osterreicher | 0.4 | Email/TC w/co-counsel | \$550 | \$220.00 |
| 1/13/2020 | Mickey Osterreicher | 0.6 | Email/TC w/co-counsel | \$550 | \$330.00 |
| 1/27/2020 | Mickey Osterreicher | 0.4 | Email/TC w/co-counsel | \$550 | \$220.00 |
| 2/11/2020 | Mickey Osterreicher | 0.5 | Review/revise Sur-reply | \$550 | \$275.00 |
| 2/24/2020 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 3/9/2020 | Mickey Osterreicher | 0.4 | Email/TC w/co-counsel | \$550 | \$220.00 |
| 3/10/2020 | Mickey Osterreicher | 2.2 | Research | \$550 | \$1,210.00 |
| 3/17/2020 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 3/18/2020 | Mickey Osterreicher | 3.0 | Email/TC w/ amici | \$550 | \$1,650.00 |
| 3/18/2020 | Mickey Osterreicher | 0.3 | Email/TC w/ amici | \$550 | \$165.00 |
| 3/19/2020 | Mickey Osterreicher | 3.2 | Review amicus brief | \$550 | \$1,760.00 |
| 3/20/2020 | Mickey Osterreicher | 3.0 | Review amicus brief | \$550 | \$1,650.00 |
| 3/23/2020 | Mickey Osterreicher | 0.5 | Review draft press release | \$550 | \$275.00 |
| 6/10/2020 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 7/14/2020 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 8/27/2020 | Mickey Osterreicher | 0.6 | email f/t TX Drone Community Reps | \$550 | \$330.00 |
| 9/10/2020 | Mickey Osterreicher | 0.4 | Email/TC w/co-counsel | \$550 | \$220.00 |
| 10/22/2020 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |

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| 11/4/2020 | Mickey Osterreicher | 0.9 | Email/TC w/co-counsel | \$550 | \$495.00 |
| 11/6/2020 | Mickey Osterreicher | 2.5 | Review/revise MSJ | \$550 | \$1,375.00 |
| 11/19/2020 | Mickey Osterreicher | 0.5 | Email/TC w/ AWC | \$550 | \$275.00 |
| 11/20/2020 | Mickey Osterreicher | 0.7 | Email/TC w/co-counsel | \$550 | \$385.00 |
| 11/30/2020 | Mickey Osterreicher | 2.2 | Review MTD Order | \$550 | \$1,210.00 |
| 12/1/2020 | Mickey Osterreicher | 0.5 | Review MTD Order | \$550 | \$275.00 |
| 12/1/2020 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 12/4/2020 | Mickey Osterreicher | 1.5 | Email/TC w/co-counsel | \$550 | \$825.00 |
| 12/14/2020 | Mickey Osterreicher | 0.6 | Email/TC w/ amici | \$550 | \$330.00 |
| 1/19/2021 | Mickey Osterreicher | 0.4 | Email/TC w/ amici | \$550 | \$220.00 |
| 2/5/2021 | Mickey Osterreicher | 0.2 | Email/TC w/co-counsel | \$550 | \$110.00 |
| 2/22/2021 | Mickey Osterreicher | 0.4 | Review Rule 26 draft | \$550 | \$220.00 |
| 3/2/2021 | Mickey Osterreicher | 0.6 | Email/TC w/co-counsel | \$550 | \$330.00 |
| 3/25/2021 | Mickey Osterreicher | 1.5 | Review/revise RFPs & Interrogatories | \$550 | \$825.00 |
| 3/25/2021 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 4/1/2021 | Mickey Osterreicher | 2.3 | Review • discovery requests | \$550 | \$1,265.00 |
| 4/2/2021 | Mickey Osterreicher | 0.2 | Email/TC w/co-counsel | \$550 | \$110.00 |
| 4/5/2021 | Mickey Osterreicher | 1.1 | Email/TC w/ AWC | \$550 | \$605.00 |
| 4/5/2021 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| 4/5/2021 | Mickey Osterreicher | 0.6 | NPPA responsive docs | \$550 | \$330.00 |
| 4/9/2021 | Mickey Osterreicher | 0.4 | Email/TC w/ NPPA ED & Staff | \$550 | \$220.00 |
| 4/13/2021 | Mickey Osterreicher | 0.7 | Email/TC w/co-counsel | \$550 | \$385.00 |
| 4/14/2021 | Mickey Osterreicher | 1.2 | Email/TC w/ NPPA ED & Staff | \$550 | \$660.00 |
| 4/17/2021 | Mickey Osterreicher | 2.5 | Draft objections to reqEmail/TC w/ NPPA ED & Staff | \$550 | \$1,375.00 |
| 4/17/2021 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 4/19/2021 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 4/23/2021 | Mickey Osterreicher | 1.5 | Document review; Email/TC w/co-counsel | \$550 | \$825.00 |
| 4/23/2021 | Mickey Osterreicher | 4.0 | Review/revise NPPA discovery objections & responses | \$550 | \$2,200.00 |
| 4/24/2021 | Mickey Osterreicher | 3.0 | NPPA responsive docs | \$550 | \$1,650.00 |
| 4/25/2021 | Mickey Osterreicher | 4.5 | Review/revise NPPA discovery objections & responses | \$550 | \$2,475.00 |
| 4/28/2021 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 5/3/2021 | Mickey Osterreicher | 1.5 | Email/TC w/co-counsel | \$550 | \$825.00 |
| 5/10/2021 | Mickey Osterreicher | 1.2 | NPPA responsive docs | \$550 | \$660.00 |
| 5/13/2021 | Mickey Osterreicher | 1.5 | Email/TC w/co-counsel | \$550 | \$825.00 |
| 6/1/2021 | Mickey Osterreicher | 0.7 | Review/revise MSJ | \$550 | \$385.00 |
| 6/2/2021 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 6/7/2021 | Mickey Osterreicher | 1.5 | Review/revise MSJ | \$550 | \$825.00 |
| 6/8/2021 | Mickey Osterreicher | 4.0 | Review/revise MSJ | \$550 | \$2,200.00 |

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| 6/9/2021 | Mickey Osterreicher | 0.5 | Review/revise MSJ | \$550 | \$275.00 |
| 6/10/2021 | Mickey Osterreicher | 5.2 | Review/revise MSJ | \$550 | \$2,860.00 |
| 6/12/2021 | Mickey Osterreicher | 0.8 | Review/revise MSJ | \$550 | \$440.00 |
| 6/14/2021 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 6/17/2021 | Mickey Osterreicher | 2.5 | Email/TC w/co-counsel | \$550 | \$1,375.00 |
| 6/18/2021 | Mickey Osterreicher | 1.5 | Review/revise MSJ | \$550 | \$825.00 |
| 6/18/2021 | Mickey Osterreicher | 3.5 | Review/revise declarations | \$550 | \$1,925.00 |
| 6/21/2021 | Mickey Osterreicher | 2.5 | Review Motions | \$550 | \$1,375.00 |
| 6/22/2021 | Mickey Osterreicher | 0.1 | Email/TC w/co-counsel | \$550 | \$55.00 |
| 6/25/2021 | Mickey Osterreicher | 0.6 | email f/t TX Drone Community Reps | \$550 | \$330.00 |
| 6/28/2021 | Mickey Osterreicher | 0.2 | Research | \$550 | \$110.00 |
| 6/29/2021 | Mickey Osterreicher | 1.5 | email f/t TX Drone Community Reps | \$550 | \$825.00 |
| 6/30/2021 | Mickey Osterreicher | 1.0 | Email/TC w/ AWC | \$550 | \$550.00 |
| 7/2/2021 | Mickey Osterreicher | 0.5 | Review/revise MSJ | \$550 | \$275.00 |
| 7/2/2021 | Mickey Osterreicher | 3.0 | Review/revise MSJ | \$550 | \$1,650.00 |
| 7/8/2021 | Mickey Osterreicher | 1.5 | Review/revise MSJ | \$550 | \$825.00 |
| 7/8/2021 | Mickey Osterreicher | 4.5 | Review/respond Motion to Intervene | \$550 | \$2,475.00 |
| 7/9/2021 | Mickey Osterreicher | 0.7 | Review •'s MSJ | \$550 | \$385.00 |
| 7/10/2021 | Mickey Osterreicher | 3.2 | Review •'s MSJ | \$550 | \$1,760.00 |
| 7/12/2021 | Mickey Osterreicher | 1.5 | Email/TC w/co-counsel | \$550 | \$825.00 |
| 7/13/2021 | Mickey Osterreicher | 0.9 | Review/revise Motion to Intervene Reply brief | \$550 | \$495.00 |
| 7/16/2021 | Mickey Osterreicher | 0.2 | Review •'s MSJ | \$550 | \$110.00 |
| 7/16/2021 | Mickey Osterreicher | 1.3 | Email/TC w/ AWC | \$550 | \$715.00 |
| 7/19/2021 | Mickey Osterreicher | 0.2 | Email/TC w/co-counsel | \$550 | \$110.00 |
| 7/19/2021 | Mickey Osterreicher | 1.1 | Review/revise response to •'s MSJ | \$550 | \$605.00 |
| 8/2/2021 | Mickey Osterreicher | 5.0 | Review/revise response to •'s MSJ | \$550 | \$2,750.00 |
| 8/3/2021 | Mickey Osterreicher | 0.2 | Review/revise response to •'s MSJ | \$550 | \$110.00 |
| 8/4/2021 | Mickey Osterreicher | 1.0 | Review •'s response to MSJ | \$550 | \$550.00 |
| 8/12/2021 | Mickey Osterreicher | 1.5 | Email/TC w/co-counsel | \$550 | \$825.00 |
| 8/14/2021 | Mickey Osterreicher | 1.0 | Review/revise Motion to Intervene Reply brief | \$550 | \$550.00 |
| 8/20/2021 | Mickey Osterreicher | 2.5 | Review/revise Motion to Intervene Reply brief | \$550 | \$1,375.00 |
| 8/22/2021 | Mickey Osterreicher | 0.5 | Review/revise Motion to Intervene Reply brief | \$550 | \$275.00 |
| 8/23/2021 | Mickey Osterreicher | 1.0 | Review amici brief | \$550 | \$550.00 |
| 8/23/2021 | Mickey Osterreicher | 1.0 | Email/TC w/co-counsel | \$550 | \$550.00 |
| 8/25/2021 | Mickey Osterreicher | 0.4 | Email/TC w/co-counsel | \$550 | \$220.00 |
| 8/27/2021 | Mickey Osterreicher | 0.3 | Email/TC w/co-counsel | \$550 | \$165.00 |
| 10/12/2021 | Mickey Osterreicher | 0.4 | Email/TC w/co-counsel | \$550 | \$220.00 |
| 1/12/2022 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |

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| 2/23/2022 | Mickey Osterreicher | 0.2 | Email/TC w/co-counsel | \$550 | \$110.00 |
| 3/2/2022 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 3/29/2022 | Mickey Osterreicher | 1.5 | Review Order | \$550 | \$825.00 |
| 3/29/2022 | Mickey Osterreicher | 0.8 | Email/TC w/co-counsel | \$550 | \$440.00 |
| 3/30/2022 | Mickey Osterreicher | 0.6 | Email/TC w/co-counsel | \$550 | \$330.00 |
| 4/6/2022 | Mickey Osterreicher | 0.5 | Email/TC w/co-counsel | \$550 | \$275.00 |
| | | 215.1 | Total Osterreicher | | \$118,305.00 |
| 8/14/2017 | L. Brueckner | 3.0 | Work on developing Texas drone case | \$625 | \$1,875.00 |
| 8/15/2017 | L. Brueckner | 3.0 | Work on developing TX drone case | \$625 | \$1,875.00 |
| 8/16/2017 | L. Brueckner | 4.0 | Work on developing TX drone case | \$625 | \$2,500.00 |
| 8/21/2017 | L. Brueckner | 1.0 | Call with DM re TX drone case | \$625 | \$625.00 |
| 8/31/2017 | L. Brueckner | 5.5 | Research re Texas drone case; call with Dave; call with FAA | \$625 | \$3,437.50 |
| 2/6/2018 | L. Brueckner | 2.5 | Research re potential Texas drone case; call with NPPA | \$625 | \$1,562.50 |
| 2/7/2018 | L. Brueckner | 0.2 | Write to Leah re follow up with Yale on Texas drone | \$625 | \$125.00 |
| 2/7/2018 | L. Brueckner | 0.3 | Review Mickey O; email on Texas drone potential case; respond to same | \$625 | \$187.50 |
| 2/12/2018 | L. Brueckner | 0.4 | Email re conference call in Texas drone case | \$625 | \$250.00 |
| 2/13/2018 | L. Brueckner | 3.5 | Texas drone research in preparation for call with the Yale mafia clinic | \$625 | \$2,187.50 |
| 2/14/2018 | L. Brueckner | 1.8 | Prep for call with the Yale clinic and NPPA re Texas drone case | \$625 | \$1,125.00 |
| 2/15/2018 | L. Brueckner | 2.5 | Call with Leah re Texas drone research and misc | \$625 | \$1,562.50 |
| 2/16/2018 | L. Brueckner | 2.0 | More Texas drone research and conference call | \$625 | \$1,250.00 |
| 2/20/2018 | L. Brueckner | 6.0 | More Texas drone research (reviewing all the different state laws) | \$625 | \$3,750.00 |
| 2/21/2018 | L. Brueckner | 3.0 | Drone research (reviewing different state laws) | \$625 | \$1,875.00 |
| 2/22/2018 | L. Brueckner | 3.0 | More drone research; call with Leah and Alicia of NPPA | \$625 | \$1,875.00 |
| 2/23/2018 | L. Brueckner | 3.0 | Continue to work on Texas drone research | \$625 | \$1,875.00 |
| 3/5/2018 | L. Brueckner | 1.5 | Work on Texas drone case - preparation for call with Yale media clinic; review Leah memo; call with Leah | \$625 | \$937.50 |
| 3/5/2018 | L. Brueckner | 1.0 | Work on Texas drone case; call with Yale clinic | \$625 | \$625.00 |
| 3/6/2018 | L. Brueckner | 0.8 | Work on Texas drone case (debrief call with Leah, post-conference call) | \$625 | \$500.00 |
| 3/8/2018 | L. Brueckner | 0.8 | Work on Texas drone case - review cooperating attorney agreement from Yale; email to team re same | \$625 | \$500.00 |
| 3/12/2018 | L. Brueckner | 2.0 | Work on Texas drone case - work on cooperating attorney and retainer agreements | \$625 | \$1,250.00 |
| 3/28/2018 | L. Brueckner | 0.8 | Teas drone call with client | \$625 | \$500.00 |
| 4/10/2018 | L. Brueckner | 0.6 | Call with Texas Drone team re clients | \$625 | \$375.00 |
| 4/17/2018 | L. Brueckner | 1.5 | Call with Texas Drone team; revisions to retainer agreement | \$625 | \$937.50 |
| 5/15/2018 | L. Brueckner | 1.0 | Call with Texas drone team | \$625 | \$625.00 |
| 5/30/2018 | L. Brueckner | 2.2 | Work on Texas drone; call with Leah; call with team | \$625 | \$1,375.00 |
| 6/5/2018 | L. Brueckner | 1.0 | Call re Texas drone case | \$625 | \$625.00 |

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| 6/13/2018 | L. Brueckner | 1.5 | Work on Texas drone case - review Sophia memo, email Sophia re same | \$625 | \$937.50 |
| 6/29/2018 | L. Brueckner | 1.4 | Review Sophia preemption memo in Texas drone case and conference call with team | \$625 | \$875.00 |
| 8/7/2018 | L. Brueckner | 1.0 | Call with Texas drone team | \$625 | \$625.00 |
| 10/14/2018 | L. Brueckner | 3.2 | Revised complaint in Texas drone case to add preemption allegations and count | \$625 | \$2,000.00 |
| 11/12/2018 | L. Brueckner | 0.9 | Texas Drone conference call | \$625 | \$562.50 |
| 11/14/2018 | L. Brueckner | 0.6 | Emails with Leah and Dave re Texas drone and ALDF | \$625 | \$375.00 |
| 11/26/2018 | L. Brueckner | 1.2 | Review and circulate Texas Drone retainer and co-counsel agreements | \$625 | \$750.00 |
| 12/3/2018 | L. Brueckner | 3.0 | Revise Texas Drone complaint; miscellaneous emails re preemption | \$625 | \$1,875.00 |
| 12/4/2018 | L. Brueckner | 2.5 | Conference call with Texas Drone team; redline edits to draft complaint | \$625 | \$1,562.50 |
| 12/6/2018 | L. Brueckner | 2.1 | Edits to revised Texas Drone complaint | \$625 | \$1,312.50 |
| 1/9/2019 | L. Brueckner | 0.8 | Texas drone conference call | \$625 | \$500.00 |
| 1/23/2019 | L. Brueckner | 2.0 | Edits to Texas drone complaint | \$625 | \$1,250.00 |
| 1/29/2019 | L. Brueckner | 2.0 | Call with Texas Drone team re strategy and complaint | \$625 | \$1,250.00 |
| 1/30/2019 | L. Brueckner | 2.4 | Continue work on Texas Drone memo and revisions to complaint | \$625 | \$1,500.00 |
| 1/30/2019 | L. Brueckner | 2.6 | Review draft agreements in Texas Drone and revisions to same; correspondence re same | \$625 | \$1,625.00 |
| 2/15/2019 | L. Brueckner | 2.8 | Prepare for Texas Drone conference call; call with Taylor at Yale re preemption issues; participate in conference call; research re preemption issues | \$625 | \$1,750.00 |
| 2/25/2019 | L. Brueckner | 1.2 | Revise complaint for Texas Drone case | \$625 | \$750.00 |
| 3/19/2019 | L. Brueckner | 1.4 | TX drone rs and call | \$625 | \$875.00 |
| 4/2/2019 | L. Brueckner | 1.0 | Texas Drone conference call | \$625 | \$625.00 |
| 4/4/2019 | L. Brueckner | 1.3 | Call with Dustin Benham re Texas Drone local counsel; email to team re same | \$625 | \$812.50 |
| 4/8/2019 | L. Brueckner | 0.6 | Emails re Texas Drone local counsel | \$625 | \$375.00 |
| 4/22/2019 | L. Brueckner | 0.8 | Texas Drone call | \$625 | \$500.00 |
| 9/10/2019 | L. Brueckner | 1.8 | prep for TX drone call with team and participate in weekly conference call | \$625 | \$1,125.00 |
| | | 96.0 | Total Hours - L. Brueckner | | \$60,000.00 |
| 2/5/2018 | L. Nicholls | 1.1 | Drones: Call with East re project | \$475 | \$522.50 |
| 2/5/2018 | L. Nicholls | 0.1 | Reviewing materials re drone issue | \$475 | \$47.50 |
| 2/6/2018 | L. Nicholls | 2.5 | Drones: Reviewing materials in preparation for call | \$475 | \$1,187.50 |
| 2/6/2018 | L. Nicholls | 1.0 | Drones - call with NPPA | \$475 | \$475.00 |
| 2/14/2018 | L. Nicholls | 1.0 | Drones: Call with Yale clinic and NPPA | \$475 | \$475.00 |
| 2/16/2018 | L. Nicholls | 1.5 | Drones: Call with Leslie and Dave | \$475 | \$712.50 |
| 2/22/2018 | L. Nicholls | 2.5 | Drones: Researching first amendment time place & manner law | \$475 | \$1,187.50 |
| 2/22/2018 | L. Nicholls | 0.8 | Drones: Follow up emails from calls re ethics issue and standing issues | \$475 | \$380.00 |
| 2/22/2018 | L. Nicholls | 1.2 | Drones: Call with Alicia from NPPA and Leslie East | \$475 | \$570.00 |
| 3/2/2018 | L. Nicholls | 1.0 | Drones: First Amendment standards | \$475 | \$475.00 |
| 3/5/2018 | L. Nicholls | 3.7 | Drones: Time Place & Manner research (along with looking into whether exceptions can amount to content-based restriction) | \$475 | \$1,757.50 |

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| 3/5/2018 | L. Nicholls | 0.5 | Drones: Substantive call with East re time place & manner | \$475 | \$237.50 |
| 3/5/2018 | L. Nicholls | 0.7 | Drones: Call with Yale clinic about co-counseling | \$475 | \$332.50 |
| 3/6/2018 | L. Nicholls | 1.1 | Drones: Call with Alicia and Yale clinic re potential clients & email follow-up email | \$475 | \$522.50 |
| 3/6/2018 | L. Nicholls | 0.6 | Drones: Call with Leslie re earlier call recap and preemption discussion | \$475 | \$285.00 |
| 3/12/2018 | L. Nicholls | 0.1 | Drones: Call with East re retainer agreement | \$475 | \$47.50 |
| 4/5/2018 | L. Nicholls | 0.7 | Drones: Call with Joe Pappalardo as potential client | \$475 | \$332.50 |
| 4/10/2018 | L. Nicholls | 0.5 | Drones: Weekly team call re clients and FOIA requests | \$475 | \$237.50 |
| 4/17/2018 | L. Nicholls | 0.7 | Drones: Call with team re retainer agreement, forum, potential client update, etc. | \$475 | \$332.50 |
| 4/24/2018 | L. Nicholls | 0.5 | Drones: Weekly call re status on plaintiffs and legal issues | \$475 | \$237.50 |
| 5/9/2018 | L. Nicholls | 0.1 | Drones: Reading memo and other preliminary draft papers for substance (draft PI and memo on preemption arguments) | \$475 | \$47.50 |
| 5/14/2018 | L. Nicholls | 0.7 | Drones: reviewing and commenting on draft PI motion | \$475 | \$332.50 |
| 5/29/2018 | L. Nicholls | 1.4 | Texas drones: Weekly check in with team | \$475 | \$665.00 |
| 6/5/2018 | L. Nicholls | 0.2 | Texas Drones: Weekly team call developing the case | \$475 | \$95.00 |
| 6/19/2018 | L. Nicholls | 0.4 | Texas drones: Reviewing memo on preemption | \$475 | \$190.00 |
| 6/19/2018 | L. Nicholls | 1.0 | Texas drones: Team call re preemption isse | \$475 | \$475.00 |
| 6/26/2018 | L. Nicholls | 0.5 | Texas Drones: reviewing revised preemption memo | \$475 | \$237.50 |
| 6/29/2018 | L. Nicholls | 0.5 | Texas Drones: Call with Leslie, Alicia, and Hannah | \$475 | \$237.50 |
| 7/31/2018 | L. Nicholls | 0.4 | Texas Drones: Call with Alicia and Sophia re next steps | \$475 | \$190.00 |
| 8/7/2018 | L. Nicholls | 0.9 | Texas drones: Call with team re figuring out what needs to be done | \$475 | \$427.50 |
| 8/16/2018 | L. Nicholls | 0.3 | Texas drones: Call with team | \$475 | \$142.50 |
| 10/2/2018 | L. Nicholls | 0.5 | Texas drones: weekly team call re progress and substance of complaint & reviewing follow-up email | \$475 | \$237.50 |
| 10/23/2018 | L. Nicholls | 0.6 | Drones: Weekly call on status of complaint | \$475 | \$285.00 |
| 11/6/2018 | L. Nicholls | 0.6 | Texas drones: Weekly call | \$475 | \$285.00 |
| 11/13/2018 | L. Nicholls | 1.0 | Texas Drones: Weekly team call & follow-up email | \$475 | \$475.00 |
| 12/11/2018 | L. Nicholls | 0.6 | Texas drones: team call | \$475 | \$285.00 |
| 1/29/2019 | L. Nicholls | 0.5 | Texas drones: team call | \$475 | \$237.50 |
| 2/12/2019 | L. Nicholls | 0.6 | Texas drones: Weekly team call re progress toward filing | \$475 | \$285.00 |
| 2/19/2019 | L. Nicholls | 0.6 | Texas drones: Conflict Check | \$475 | \$285.00 |
| 2/26/2019 | L. Nicholls | 0.8 | Drones team call & follow-up email | \$475 | \$380.00 |
| 6/14/2019 | L. Nicholls | 0.6 | Call re status of CD/SPC & Texas drones case | \$475 | \$285.00 |
| 8/8/2019 | L. Nicholls | 0.5 | Texas Drones: Reviewing notes on changes made by the amendments & refreshing memory re complaint | \$475 | \$237.50 |
| 8/9/2019 | L. Nicholls | 0.8 | Texas Drones: Call with team re moving forward now that we have local counsel & follow up emails & notes | \$475 | \$380.00 |
| 8/22/2019 | L. Nicholls | 0.7 | Texas Drones: Call with NPPA re roles in the case & follow-up email | \$475 | \$332.50 |
| 9/17/2019 | L. Nicholls | 0.5 | Texas Drones (NPPA v. McCraw): Call with team re final details for filings | \$475 | \$237.50 |

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| 9/17/2019 | L. Nicholls | 1.1 | Texas Drones (NPPA v. McCraw): Reviewing final docs to be filed & adding signature block to complaint | \$475 | \$522.50 |
| 9/24/2019 | L. Nicholls | 0.9 | Texas drones (NPPA v. McCraw): Team call re final filing logistics | \$475 | \$427.50 |
| 9/26/2019 | L. Nicholls | 0.7 | Texas Drones (NPPA v. McCraw): pro hac motion | \$475 | \$332.50 |
| 10/4/2019 | L. Nicholls | 0.3 | E-Filing form | \$475 | \$142.50 |
| 10/15/2019 | L. Nicholls | 0.1 | Finalizing e-filing registration | \$475 | \$47.50 |
| 10/22/2019 | L. Nicholls | 0.5 | Team call re various litigation to-dos | \$475 | \$237.50 |
| 11/7/2019 | L. Nicholls | 1.6 | Careful read of MTD, in conjunction with Dave's notes and Yale outline | \$475 | \$760.00 |
| 11/7/2019 | L. Nicholls | 0.7 | Call with East re Opp to MTD, etc | \$475 | \$332.50 |
| 11/7/2019 | L. Nicholls | 0.6 | Call with team re responding to MTD | \$475 | \$285.00 |
| 11/7/2019 | L. Nicholls | 0.2 | Emailing Yale folks about substantive notes from Dave | \$475 | \$95.00 |
| 11/8/2019 | L. Nicholls | 1.7 | Standing section of opp to MTD | \$475 | \$807.50 |
| 11/8/2019 | L. Nicholls | 2.2 | Reviewing complaint & relevant authorities to see whether it makes sense to amend | \$475 | \$1,045.00 |
| 11/8/2019 | L. Nicholls | 0.5 | Meeting with Rodolfo re Texas Drones standing section | \$475 | \$237.50 |
| 11/12/2019 | L. Nicholls | 0.2 | email with team re plan for drafting | \$475 | \$95.00 |
| 11/13/2019 | L. Nicholls | 3.5 | organizational Havens standing research (5th Cir specific) re Opp to MTD | \$475 | \$1,662.50 |
| 11/13/2019 | L. Nicholls | 1.0 | organizational Havens standing sections of opp to MTD | \$475 | \$475.00 |
| 11/14/2019 | L. Nicholls | 4.5 | organizational Havens standing sections of opp to MTD | \$475 | \$2,137.50 |
| 11/15/2019 | L. Nicholls | 2.7 | Opp to MTD: Redressability/traceability & related research | \$475 | \$1,282.50 |
| 11/15/2019 | L. Nicholls | 1.6 | MTD Opp: TPA Standing | \$475 | \$760.00 |
| 11/16/2019 | L. Nicholls | 0.7 | Opp to MTD: First look at Rodolfo's draft of Pappalardo and NPPA associational standing sections | \$475 | \$332.50 |
| 11/18/2019 | L. Nicholls | 2.6 | MTD Opp: Review and edit of Rodolfo's standing sections re individual chill | \$475 | \$1,235.00 |
| 11/19/2019 | L. Nicholls | 4.4 | MTD Opp: Review and edit of Rodolfo's standing sections re individual chill & incorporating remainder of standing section | \$475 | \$2,090.00 |
| 11/19/2019 | L. Nicholls | 0.9 | Call with team re status of draft opposition and potential additional party and potential amici & follow-up discussion with Rodolfo | \$475 | \$427.50 |
| 11/26/2019 | L. Nicholls | 4.8 | Review and edits to full draft of Opp to MTD | \$475 | \$2,280.00 |
| 12/2/2019 | L. Nicholls | 1.7 | Opp to MTD | \$475 | \$807.50 |
| 12/3/2019 | L. Nicholls | 0.6 | Responding to cite-check questions on standing section | \$475 | \$285.00 |
| 12/3/2019 | L. Nicholls | 0.1 | Check-in call with team | \$475 | \$47.50 |
| 12/12/2019 | L. Nicholls | 0.5 | Team call re amicus & follow-up with Rodolfo | \$475 | \$237.50 |
| 12/20/2019 | L. Nicholls | 0.3 | Reading the two reply briefs ISO the MTD | \$475 | \$142.50 |
| 12/20/2019 | L. Nicholls | 0.5 | Team call re reply briefs ISO MTD | \$475 | \$237.50 |
| 12/30/2019 | L. Nicholls | 0.7 | Initial high-level read through of sur-reply ISO opp to MTD | \$475 | \$332.50 |
| 12/30/2019 | L. Nicholls | 0.7 | Editing sur-reply ISO opp to MTD | \$475 | \$332.50 |
| 12/31/2019 | L. Nicholls | 0.3 | Editing sur-reply ISO opp to MTD | \$475 | \$142.50 |
| 1/29/2020 | L. Nicholls | 0.6 | Call with team re strategy for scheduling conference on 2/3 | \$475 | \$285.00 |

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| 2/3/2020 | L. Nicholls | 0.1 | Reviewing scheduling order | \$475 | \$47.50 |
| 2/11/2020 | L. Nicholls | 0.4 | Reading relevantt part of Texas v. US and related supplemental authority letter | \$475 | \$190.00 |
| 2/11/2020 | L. Nicholls | 0.5 | Team call re updates and next steps | \$475 | \$237.50 |
| 3/6/2020 | L. Nicholls | 1.3 | Call with Sam Cole re his case and follow-up emails to team and Sam | \$475 | \$617.50 |
| 3/9/2020 | L. Nicholls | 0.4 | Call re Kolle v K&K & what we should do about it | \$475 | \$190.00 |
| 3/10/2020 | L. Nicholls | 0.5 | Kolle v. K&K: Reviewing MSJ and Anti-SLAPP briefing filing yesterday | \$475 | \$237.50 |
| 3/10/2020 | L. Nicholls | 1.0 | Kolle v. K&K: Call with Sam Cole & follow-up emails to Paul and the team | \$475 | \$475.00 |
| 3/17/2020 | L. Nicholls | 0.6 | Litigation team check-in call | \$475 | \$285.00 |
| 7/20/2020 | L. Nicholls | 0.2 | Call with reporter Jim Magill re Texas Drones case | \$475 | \$95.00 |
| 9/10/2020 | L. Nicholls | 0.5 | Check-in/status meeting with team | \$475 | \$237.50 |
| 11/6/2020 | L. Nicholls | 2.0 | Reviewing draft MSJ argument section as well as proposed settlement demand | \$475 | \$950.00 |
| 11/6/2020 | L. Nicholls | 0.7 | Team mtg re settlement demand letter and comments on first draft of MSJ & follow-up email | \$475 | \$332.50 |
| 11/19/2020 | L. Nicholls | 0.1 | Reviewing draft administerial docs (statements re ADR, consent to magistrate etc.) | \$475 | \$47.50 |
| 11/20/2020 | L. Nicholls | 0.5 | Meeting re communicating with TPA and potential supplemental authority | \$475 | \$237.50 |
| 11/22/2020 | L. Nicholls | 0.4 | Of Speech First case and see if appropriate for supplemental authority | \$475 | \$190.00 |
| 11/30/2020 | L. Nicholls | 0.4 | quick skim of the MTD decision and emails to team and colleagues about same | \$475 | \$190.00 |
| 12/4/2020 | L. Nicholls | 1.0 | Team meeting re motion to dismiss win | \$475 | \$475.00 |
| 12/11/2020 | L. Nicholls | 0.1 | Returning Jim McGill's call re MTD decision | \$475 | \$47.50 |
| 2/5/2021 | L. Nicholls | 1.2 | Reviewing outline re Rule 26 meet and confer & emailing with team thoughts on same | \$475 | \$570.00 |
| 2/5/2021 | L. Nicholls | 0.5 | Rule 26 conference & follow-up email to team | \$475 | \$237.50 |
| 2/16/2021 | L. Nicholls | 0.6 | Team meeting re Rule 26 disclosures, affidavits, next steps, etc. | \$475 | \$285.00 |
| 2/16/2021 | L. Nicholls | 0.2 | Reviewing draft 26f report and Rule 26 initial disclosures | \$475 | \$95.00 |
| 2/22/2021 | L. Nicholls | 0.7 | Reviewing draft MSJ for big-picture concerns & writing to team with comments | \$475 | \$332.50 |
| 3/2/2021 | L. Nicholls | 0.5 | Meeting re discovery strategy in light of Defs' Rule 26 disclosures | \$475 | \$237.50 |
| 3/22/2021 | L. Nicholls | 0.6 | Reviewing and commenting on draft first round of discovery requests | \$475 | \$285.00 |
| 3/25/2021 | L. Nicholls | 0.7 | Team meeting re edits to written discovery requests | \$475 | \$332.50 |
| 3/29/2021 | L. Nicholls | 0.7 | Rviewing next round of draft discovery requests | \$475 | \$332.50 |
| 4/5/2021 | L. Nicholls | 0.9 | Meeting with team re plan for responding to discovery requests | \$475 | \$427.50 |
| 4/12/2021 | L. Nicholls | 0.9 | Reviewing initial draft responses to discovery requests, and commenting on same | \$475 | \$427.50 |
| 4/13/2021 | L. Nicholls | 0.5 | Team meeting re progress on discovery responses and next steps | \$475 | \$237.50 |
| 4/23/2021 | L. Nicholls | 1.0 | Reviewing draft discovery responses | \$475 | \$475.00 |
| 4/23/2021 | L. Nicholls | 1.7 | Meeting with team to discuss substance of draft discovery responses and follow-up related email to team | \$475 | \$807.50 |
| 4/28/2021 | L. Nicholls | 1.0 | Meeting with team re finalizing discovery responses | \$475 | \$475.00 |
| 5/13/2021 | L. Nicholls | 0.2 | Quick look at Defs' discovery responses | \$475 | \$95.00 |
| 5/13/2021 | L. Nicholls | 1.4 | Team meeting re Defs' discovery responses | \$475 | \$665.00 |
| 5/26/2021 | L. Nicholls | 0.4 | Call with Alicia re military installations | \$475 | \$190.00 |

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|-----------|--------------------|--------------|---|-------|--------------------|
| 6/9/2021 | L. Nicholls | 1.3 | Reviewing and commenting on draft affidavits for TPC, CIR, Wade, and Calzada to be filed ISO the MSJ | \$475 | \$617.50 |
| 6/9/2021 | L. Nicholls | 0.9 | reviewing and commenting on drat MSJ | \$475 | \$427.50 |
| 6/10/2021 | L. Nicholls | 1.8 | Continuing review of draft MSJ brief | \$475 | \$855.00 |
| 6/17/2021 | L. Nicholls | 0.6 | Reviewing next draft of MSJ | \$475 | \$285.00 |
| 6/18/2021 | L. Nicholls | 1.0 | Meeting with team re last week before SJ motion due (amici, logistics, etc.) | \$475 | \$475.00 |
| 6/18/2021 | L. Nicholls | 1.8 | Continuing review of next draft of SJ memo | \$475 | \$855.00 |
| 6/22/2021 | L. Nicholls | 0.1 | Reviewing draft motion re extension of time and pages | \$475 | \$47.50 |
| 6/29/2021 | L. Nicholls | 1.1 | Meeting with Andrea and Katie at Sierra Club re lawsuit & follow-up emails to Alicia and team about same | \$475 | \$522.50 |
| 7/13/2021 | L. Nicholls | 1.3 | Reading Defs' MSJ & reviewing notes thereon | \$475 | \$617.50 |
| 7/13/2021 | L. Nicholls | 0.9 | Team meeting re Defs' MSJ | \$475 | \$427.50 |
| 7/17/2021 | L. Nicholls | 0.4 | Reviewing and commenting on draft outline of opp to Defs' MSJ | \$475 | \$190.00 |
| 7/19/2021 | L. Nicholls | 0.7 | Team meeting re response to Defs' MSJ | \$475 | \$332.50 |
| 8/4/2021 | L. Nicholls | 1.6 | Reviewing draft response to Defs' SJ motion | \$475 | \$760.00 |
| 8/12/2021 | L. Nicholls | 1.3 | Reading Defs Opp to Our MSJ and reviewing draft outline for reply | \$475 | \$617.50 |
| 8/19/2021 | L. Nicholls | 0.4 | Reading new Ag-gag decision from the 10th circuit striking down Kansas law & relaying it to the team | \$475 | \$190.00 |
| 8/19/2021 | L. Nicholls | 1.0 | MSJ Reply | \$475 | \$475.00 |
| | | 121.7 | Total Hours - L. Nicholls | | \$57,807.50 |
| 9/8/2017 | Isabel Farhi | 2.3 | Legal research re vagueness and overbreadth theories | \$145 | \$333.50 |
| 9/9/2017 | Isabel Farhi | 2.9 | Draft memo re overbreadth and vagueness | \$145 | \$420.50 |
| 9/12/2017 | Isabel Farhi | 0.7 | Revise overbreadth and vagueness memo | \$145 | \$101.50 |
| 9/13/2017 | Meenakshi Krishnan | 1.5 | Legal research re content-based discrimination in the Fifth Circuit | \$145 | \$217.50 |
| 9/13/2017 | Meenakshi Krishnan | 1.5 | Draft memo on content-based/viewpoint-based discrimination in Section 423 of the Texas Privacy Act | \$145 | \$217.50 |
| 9/15/2017 | Isabel Farhi | 0.5 | Factual research re Texas drone reporting re Hurricane Harvey | \$145 | \$72.50 |
| 9/16/2017 | Isabel Farhi | 0.6 | Fiurther research on overbreadth standards | \$145 | \$87.00 |
| 9/19/2017 | Isabel Farhi | 0.5 | Revise overbreadth and vagueness memo | \$145 | \$72.50 |
| 9/20/2017 | David Stanton | 2.4 | Research property rights over airspace under Texas law | \$145 | \$348.00 |
| 9/20/2017 | David Stanton | 0.3 | Research FAA regulations on flying above military bases | \$145 | \$43.50 |
| 9/20/2017 | Isabel Farhi | 1.3 | Research on enforcement of critical infrastucture provisions | \$145 | \$188.50 |
| 9/21/2017 | Meenakshi Krishnan | 1.0 | Research regarding FAA drone licensing requirements | \$145 | \$145.00 |
| 9/21/2017 | Meenakshi Krishnan | 1.8 | Research Texas legislative history related to Section 423 of the Texas Privacy Act and draft memo re same | \$145 | \$261.00 |
| 9/21/2017 | Meenakshi Krishnan | 0.8 | Research potential content discrimination and viewpoint discrimination claims regarding Section 423 | \$145 | \$116.00 |

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|------------|--------------------|-----|--|-------|----------|
| 9/27/2017 | David Stanton | 3.5 | Draft prospective claims against infrastructure provision of Texas Privacy Act | \$145 | \$507.50 |
| 9/28/2017 | Meenakshi Krishnan | 3.6 | Draft content-based and viewpoint-based discrimination claims against the Texas Privacy Act | \$145 | \$522.00 |
| 9/29/2017 | Isabel Farhi | 0.5 | Revise draft claims against Texas Privacy Act | \$145 | \$72.50 |
| 10/3/2017 | Isabel Farhi | 0.5 | Research procedural issues | \$145 | \$72.50 |
| 10/4/2017 | David Stanton | 3.2 | Research case law on separability of statutes | \$145 | \$464.00 |
| 10/10/2017 | David Stanton | 2.7 | Research FAA drone regulations and how they interact with Tex. Gov't Code Ann. § 423.003. | \$145 | \$391.50 |
| 10/11/2017 | David Stanton | 1.0 | Revise memo regarding content-based nature of Section 423.0045. | \$145 | \$145.00 |
| 10/17/2017 | David Stanton | 5.0 | Further research on legislative history of Texas drone statutes. | \$145 | \$725.00 |
| 10/18/2017 | David Stanton | 1.0 | Research legislative history, particularly audio/video recordings, for Texas 84(R) HB 1481. | \$145 | \$145.00 |
| 10/18/2017 | David Stanton | 3.3 | Draft argument that Texas drone statute relating to critical infrastructure is unconstitutional because content-based. | \$145 | \$478.50 |
| 2/1/2018 | Allison Douglass | 0.4 | Discussion of case theory with constitutional law expert (J. Balkin) | \$145 | \$58.00 |
| 2/12/2018 | John Brinkerhoff | 2.8 | Research on legislative history of initial Texas drone ban | \$145 | \$406.00 |
| 2/20/2018 | Allison Douglass | 4.8 | Legislative history research regarding drone law revisions | \$145 | \$696.00 |
| 2/27/2018 | Allison Douglass | 1.8 | Draft intro and facts section of complaint | \$145 | \$261.00 |
| 2/27/2018 | John Brinkerhoff | 1.5 | Research element of § 1983 First Amendment claims and Fifth Circuit precedent | \$145 | \$217.50 |
| 2/27/2018 | John Brinkerhoff | 0.8 | Draft party, venue, causes of action, and relief sections of complaint | \$145 | \$116.00 |
| 3/15/2018 | John Brinkerhoff | 3.2 | Research equal protection claims relating to disparate treatment affecting first amendment interests | \$145 | \$464.00 |
| 3/16/2018 | John Brinkerhoff | 1.2 | Revise equal protection allegations re Chapter 423 | \$145 | \$174.00 |
| 3/16/2018 | John Brinkerhoff | 2.8 | Research defining drone imagery as protected first amendment expression | \$145 | \$406.00 |
| 3/16/2018 | John Brinkerhoff | 5.2 | Research definitions of content-based discrimination and narrow tailoring approaches | \$145 | \$754.00 |
| 3/16/2018 | John Brinkerhoff | 0.6 | Draft allegations defining the capture of drone imagery and subsequent publication as protected speech | \$145 | \$87.00 |
| 3/17/2018 | John Brinkerhoff | 4.7 | Research and revise content-based discrimination section (both defining the violation as content based and tailoring) | \$145 | \$681.50 |
| 3/17/2018 | John Brinkerhoff | 2.3 | Research and revise overbreadth and vagueness issues | \$145 | \$333.50 |
| 4/4/2018 | Allison Douglass | 0.3 | Outline issues for interview of Joe Pappalardo | \$145 | \$43.50 |
| 4/6/2018 | Allison Douglass | 0.8 | Call with Joe Pappalardo and draft notes of call | \$145 | \$116.00 |
| 4/25/2018 | Allison Douglass | 0.6 | Submit public information requests to Texas Senate | \$145 | \$87.00 |
| 9/13/2018 | Rachel Cheong | 0.5 | Research vagueness standards | \$145 | \$72.50 |
| 9/16/2018 | Rachel Cheong | 1.3 | Research right to petition standards | \$145 | \$188.50 |
| 9/17/2018 | Joseph Burson | 0.6 | Draft outline of overbreadth section of memorandum | \$145 | \$87.00 |
| 9/18/2018 | Rachel Cheong | 2.2 | Research application of vagueness standards to surveillance provision | \$145 | \$319.00 |
| 9/20/2018 | Joseph Burson | 0.5 | Research on speaker-based restrictions | \$145 | \$72.50 |

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|------------|---------------|-----|---|-------|----------|
| 9/20/2018 | Joseph Burson | 0.8 | Drafting/editing complaint - surveillance provision facts | \$145 | \$116.00 |
| 9/20/2018 | Joseph Burson | 0.7 | Drafting/editing content-based discrimination provisions in complaint | \$145 | \$101.50 |
| 9/21/2018 | Joseph Burson | 0.8 | Drafting/editing overbreadth allegations | \$145 | \$116.00 |
| 9/26/2018 | Isabel Farhi | 1.4 | Edit complaint | \$145 | \$203.00 |
| 9/27/2018 | Isabel Farhi | 0.5 | Review plaintiff affidavit and incorporate additional facts into draft complaint | \$145 | \$72.50 |
| 9/28/2018 | Rachel Cheong | 2.1 | Add information from Pappalardo affidavit into complaint | \$145 | \$304.50 |
| 10/2/2018 | Joseph Burson | 0.6 | Background research on organizational standing under Section 1983 | \$145 | \$87.00 |
| 10/5/2018 | Isabel Farhi | 0.3 | Prepare factual questions for client | \$145 | \$43.50 |
| 10/8/2018 | Isabel Farhi | 0.3 | Reviewed draft preliminary injunction memo. | \$145 | \$43.50 |
| 10/8/2018 | Joseph Burson | 0.5 | Draft questions/comments/concerns over Wade affidavit | \$145 | \$72.50 |
| 10/10/2018 | Joseph Burson | 1.3 | Edit complaint | \$145 | \$188.50 |
| 10/19/2018 | Rachel Cheong | 2.9 | Research re: proper parties to enjoin in constitutional litigation involving criminal/civil state law | \$145 | \$420.50 |
| 10/20/2018 | Rachel Cheong | 3.8 | Research and draft memo re: proper parties to enjoin in lawsuit, applicability of the prior restraint theory to Chapter 423.006 | \$145 | \$551.00 |
| 10/21/2018 | Joseph Burson | 0.5 | research on 11th amendment | \$145 | \$72.50 |
| 10/27/2018 | Isabel Farhi | 1.4 | Research and draft proper venue memo | \$145 | \$203.00 |
| 10/28/2018 | Isabel Farhi | 1.1 | Draft venue memo | \$145 | \$159.50 |
| 10/29/2018 | Joseph Burson | 2.8 | Researching Ex parte Young as applied to law enforcement agencies in TX | \$145 | \$406.00 |
| 11/1/2018 | Isabel Farhi | 0.9 | Researched necessity of Texas Attorney General as defendant; reviewed drones report | \$145 | \$130.50 |
| 11/2/2018 | Joseph Burson | 1.9 | Revise and expand Ex Parte Young research | \$145 | \$275.50 |
| 11/4/2018 | Joseph Burson | 0.5 | Research photography as speech | \$145 | \$72.50 |
| 11/25/2018 | Joseph Burson | 0.8 | Research on viewpoint discrimination/speaker-based distinctions | \$145 | \$116.00 |
| 12/21/2018 | Isabel Farhi | 1.0 | Edit complaint | \$145 | \$145.00 |
| 1/23/2019 | Joseph Burson | 0.6 | Research on no-fly provisions as content-based restrictions on speech | \$145 | \$87.00 |
| 1/25/2019 | Joseph Burson | 0.8 | Research on no-fly provisions as content-based restrictions on speech | \$145 | \$116.00 |
| 1/26/2019 | Joseph Burson | 0.4 | Research on standing to challenge content-based exemptions to broad prohibitions | \$145 | \$58.00 |
| 1/30/2019 | Joseph Burson | 1.3 | Edit draft complaint | \$145 | \$188.50 |
| 2/2/2019 | Wendy Serra | 5.0 | Review and revise complaint | \$145 | \$725.00 |
| 2/8/2019 | Joseph Burson | 0.8 | Reviewing edits to no-fly provision first amendment section of complaint and researching/proposing changes. | \$145 | \$116.00 |
| 2/9/2019 | Joseph Burson | 1.0 | Research on sovereign immunity in Flores v. Texas | \$145 | \$145.00 |
| 2/10/2019 | Joseph Burson | 0.7 | Research on waivers of sovereign immunity | \$145 | \$101.50 |
| 2/11/2019 | Joseph Burson | 1.5 | Research on Texas law waiving sovereign immunity | \$145 | \$217.50 |
| 2/12/2019 | Joseph Burson | 0.7 | Editing allegations relevant to O'Brien analysis | \$145 | \$101.50 |
| 2/18/2019 | Edgar Morris | 0.5 | Researching No-Fly preemption argument | \$145 | \$72.50 |
| 2/19/2019 | Wendy Serra | 2.0 | Draft memorandum on inclusion of Texas Attorney General as a party in a case challenging constitutionality of a Texas statute | \$145 | \$290.00 |

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|------------|-------------------|-----|---|-------|----------|
| 2/23/2019 | Joseph Burson | 1.0 | Research organizational standing | \$145 | \$145.00 |
| 2/24/2019 | Joseph Burson | 2.4 | Research organizational standing | \$145 | \$348.00 |
| 2/26/2019 | Joseph Burson | 0.3 | Drafting email to NPPA on standing | \$145 | \$43.50 |
| 2/26/2019 | Wendy Serra | 4.0 | Research and draft memo on associational standing | \$145 | \$580.00 |
| 3/10/2019 | Joseph Burson | 1.3 | Standing research - injury in fact | \$145 | \$188.50 |
| 3/12/2019 | Joseph Burson | 1.5 | Standing research - injury in fact | \$145 | \$217.50 |
| 3/13/2019 | Edgar Morris | 1.0 | Drafting email to Texas Press Association about organizational standing. | \$145 | \$145.00 |
| 3/18/2019 | Wendy Serra | 4.0 | Research and draft memo on Fifth Circuit First Amendment standing precedent | \$145 | \$580.00 |
| 3/20/2019 | Wendy Serra | 0.5 | Phone call with G. Calzada to update affidavit. | \$145 | \$72.50 |
| 3/22/2019 | Edgar Morris | 1.5 | Performed research to help determine whether one of our clients has individual standing. | \$145 | \$217.50 |
| 3/25/2019 | Joseph Burson | 1.4 | Drafting standing memo (organizational standing section) | \$145 | \$203.00 |
| 3/26/2019 | Edgar Morris | 4.0 | Draft memorandum assessing standing of separate clients | \$145 | \$580.00 |
| 4/1/2019 | Joseph Burson | 2.0 | Revise standing memo | \$145 | \$290.00 |
| 4/8/2019 | Edgar Morris | 2.0 | Updating draft affidavit and standing memo following conversations with clients | \$145 | \$290.00 |
| 4/8/2019 | Joseph Burson | 0.5 | Edit Wade Affidavit | \$145 | \$72.50 |
| 4/16/2019 | Joseph Burson | 0.5 | Edit standing allegations in complaint | \$145 | \$72.50 |
| 4/16/2019 | Joseph Burson | 0.6 | Assemble filing packet | \$145 | \$87.00 |
| 4/16/2019 | Joseph Burson | 1.8 | Researching service of process against state officers in their official capacities in the Fifth Circuit | \$145 | \$261.00 |
| 4/17/2019 | Joseph Burson | 0.3 | Assemble filing packet | \$145 | \$43.50 |
| 4/20/2019 | Wendy Serra | 1.0 | Drafted Texas Attorney General form, and civil cover sheet. | \$145 | \$145.00 |
| 9/12/2019 | Joseph Burson | 3.3 | Revise draft complaint | \$145 | \$478.50 |
| 9/16/2019 | Joseph Burson | 1.3 | Edit and review filing documents. | \$145 | \$188.50 |
| 9/28/2019 | Joseph Burson | 2.1 | Research likely grounds for motion to dismiss | \$145 | \$304.50 |
| 10/1/2019 | Timur Akman-Duffy | 0.5 | Reviewing and outlining facts for brief | \$145 | \$72.50 |
| 10/1/2019 | Timur Akman-Duffy | 1.4 | Drafting facts for opposition to motion to dismiss | \$145 | \$203.00 |
| 10/1/2019 | Timur Akman-Duffy | 0.7 | Finishing facts draft | \$145 | \$101.50 |
| 10/14/2019 | Timur Akman-Duffy | 2.5 | Draft MTD outline for surveillance provisions and sov immunity arguments | \$145 | \$362.50 |
| 10/17/2019 | Joseph Burson | 1.8 | Draft outline for opposition to motion to dismiss: standard of review and No-Fly vagueness sections. | \$145 | \$261.00 |
| 10/20/2019 | Joseph Burson | 2.6 | Draft outline of opposition to motion to dismiss | \$145 | \$377.00 |
| 10/20/2019 | Timur Akman-Duffy | 1.9 | Draft motion to dismiss opposition: Surveillance Provisions | \$145 | \$275.50 |
| 10/21/2019 | Joseph Burson | 0.4 | Update discovery map | \$145 | \$58.00 |
| 10/23/2019 | Joseph Burson | 0.7 | Edit standing memorandum | \$145 | \$101.50 |
| 10/27/2019 | Joseph Burson | 1.0 | Draft preemption section of brief | \$145 | \$145.00 |
| 10/28/2019 | Joseph Burson | 0.7 | Draft vagueness section of motion to dismiss | \$145 | \$101.50 |
| 10/30/2019 | Joseph Burson | 0.8 | Draft vagueness section of motion to dismiss | \$145 | \$116.00 |
| 10/30/2019 | Timur Akman-Duffy | 1.2 | Review and revise motion to dismiss | \$145 | \$174.00 |

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|------------|-------------------|-----|--|-------|----------|
| 11/4/2019 | Joseph Burson | 0.4 | Revise draft of motion to dismiss--vagueness section | \$145 | \$58.00 |
| 11/4/2019 | Joseph Burson | 0.2 | Revise section on First Amendment and No-Fly Provisions | \$145 | \$29.00 |
| 11/4/2019 | Timur Akman-Duffy | 1.8 | Review and revise motion to dismiss | \$145 | \$261.00 |
| 11/10/2019 | Joseph Burson | 2.4 | Draft motion to dismiss opposition re First Amendment application to No-Fly Provisions. | \$145 | \$348.00 |
| 11/11/2019 | Joseph Burson | 1.2 | Continue to draft MTD opposition re First Amendment application to No-Fly Provisions. | \$145 | \$174.00 |
| 11/12/2019 | Timur Akman-Duffy | 1.3 | Draft First Amendment application to surveillance provisions | \$145 | \$188.50 |
| 11/17/2019 | Joseph Burson | 1.6 | Revise opposition to motion to dismiss--Surveillance Provisions section | \$145 | \$232.00 |
| 11/17/2019 | Timur Akman-Duffy | 2.5 | Edit Response to motion to dismiss | \$145 | \$362.50 |
| 11/21/2019 | Joseph Burson | 4.7 | Revise opposition to motion to dismiss | \$145 | \$681.50 |
| 11/21/2019 | Timur Akman-Duffy | 2.7 | Further edits to opposition to motion to dismiss | \$145 | \$391.50 |
| 12/2/2019 | Timur Akman-Duffy | 4.5 | Edits/cite check: Final opposition to motion to dismiss | \$145 | \$652.50 |
| 12/22/2019 | Joseph Burson | 2.1 | Research Ex parte Young and sovereign immunity | \$145 | \$304.50 |
| 1/26/2020 | Emily Wang | 0.8 | Outline facts needed to identify areas for discovery | \$145 | \$116.00 |
| 1/27/2020 | Emily Wang | 0.8 | Draft outline of issues of material fact in order to determine any need for discovery prior to moving for summary judgment | \$145 | \$116.00 |
| 1/29/2020 | Joseph Burson | 1.1 | Draft letter notice of supplemental authority on standing | \$145 | \$159.50 |
| 2/3/2020 | Emily Wang | 2.1 | Revise outline of possible evidence needed in discovery | \$145 | \$304.50 |
| 2/3/2020 | Timur Akman-Duffy | 1.9 | Outline material facts for summary judgment motion | \$145 | \$275.50 |
| 2/9/2020 | Emily Wang | 1.0 | Research legislative history for HB 1424 and HB 1643 | \$145 | \$145.00 |
| 2/10/2020 | Joseph Burson | 0.3 | Research cases where state airspace/operational restrictions were preempted | \$145 | \$43.50 |
| 2/10/2020 | Joseph Burson | 0.3 | Revise letter notice of supplemental authority. | \$145 | \$43.50 |
| 3/2/2020 | Timur Akman-Duffy | 1.2 | Enforcement Research | \$145 | \$174.00 |
| 3/3/2020 | Timur Akman-Duffy | 1.0 | Researching common law privacy in TX | \$145 | \$145.00 |
| 3/30/2020 | Timur Akman-Duffy | 1.8 | Draft outline for summary judgment motion | \$145 | \$261.00 |
| 3/31/2020 | Joseph Burson | 1.1 | Revise draft outline for summary judgment motion | \$145 | \$159.50 |
| 4/2/2020 | Joseph Burson | 1.1 | Research intrusion upon seclusion | \$145 | \$159.50 |
| 4/10/2020 | Joseph Burson | 0.3 | Research invasion of privacy torts in Texas | \$145 | \$43.50 |
| 4/10/2020 | Timur Akman-Duffy | 5.4 | Drafting summary judgment motion | \$145 | \$783.00 |
| 4/13/2020 | Joseph Burson | 1.0 | Draft summary judgment motion | \$145 | \$145.00 |
| 5/29/2020 | Joseph Burson | 1.9 | Revise summary judgment motion draft | \$145 | \$275.50 |
| 6/5/2020 | Joseph Burson | 2.0 | Revise motion for summary judgment | \$145 | \$290.00 |
| 9/22/2020 | Roman Leal | 0.8 | Revise motion for summary judgement per new outline | \$145 | \$116.00 |
| 9/23/2020 | Roman Leal | 0.8 | Revise summary judgment motion | \$145 | \$116.00 |
| 9/30/2020 | Timur Akman-Duffy | 3.1 | Updating summary judgment motion: shifting the structure and updating | \$145 | \$449.50 |
| 10/11/2020 | Timur Akman-Duffy | 1.5 | Drafting summary judgment motion: expanding use of evidence re importance of drone use by journalists | \$145 | \$217.50 |
| 10/15/2020 | Roman Leal | 1.5 | Revising draft of summary judgment motion | \$145 | \$217.50 |
| 10/25/2020 | Timur Akman-Duffy | 1.8 | Research caselaw re constitutional protection of newsgathering | \$145 | \$261.00 |

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|------------|-------------------|-----|---|-------|----------|
| 10/26/2020 | Roman Leal | 1.8 | Editing summary judgment motion | \$145 | \$261.00 |
| 10/28/2020 | Timur Akman-Duffy | 3.1 | Updating summary judgment motion following conversation with co-counsel | \$145 | \$449.50 |
| 11/4/2020 | Roman Leal | 2.3 | summary judgment motion revisions | \$145 | \$333.50 |
| 11/5/2020 | Timur Akman-Duffy | 2.1 | Researching 5th Circuit precedent re strict scrutiny standard in 1A cases | \$145 | \$304.50 |
| 11/15/2020 | Timur Akman-Duffy | 1.5 | Updating summary judgment motion | \$145 | \$217.50 |
| 12/9/2020 | Roman Leal | 1.8 | Revising facts section for summary judgment motion | \$145 | \$261.00 |
| 12/10/2020 | Timur Akman-Duffy | 2.5 | Updating summary judgment motion | \$145 | \$362.50 |
| 12/29/2020 | Timur Akman-Duffy | 0.5 | Reviewing order on motion to dismiss for use in summary judgment motion | \$145 | \$72.50 |
| 1/26/2021 | Roman Leal | 1.2 | Drafting statement of material facts | \$145 | \$174.00 |
| 2/2/2021 | Roman Leal | 2.3 | Drafting statement of material facts | \$145 | \$333.50 |
| 2/2/2021 | Timur Akman-Duffy | 2.0 | Drafting summary judgment motion | \$145 | \$290.00 |
| 2/3/2021 | Roman Leal | 2.5 | Drafting statement of material facts | \$145 | \$362.50 |
| 2/3/2021 | Timur Akman-Duffy | 3.2 | Drafting summary judgment motion | \$145 | \$464.00 |
| 2/5/2021 | Timur Akman-Duffy | 4.1 | Drafting summary judgment motion | \$145 | \$594.50 |
| 2/8/2021 | Samuel Aber | 2.4 | Editing summary judgment motion draft | \$145 | \$348.00 |
| 2/14/2021 | Samuel Aber | 1.1 | Revising summary judgment motion | \$145 | \$159.50 |
| 3/2/2021 | Samuel Aber | 0.6 | Working on standing section for summary judgment motion | \$145 | \$87.00 |
| 3/3/2021 | Roman Leal | 0.8 | MSJ edits | \$145 | \$116.00 |
| 3/3/2021 | Samuel Aber | 0.7 | Drafting standing section for summary judgment motion | \$145 | \$101.50 |
| 3/3/2021 | Samuel Aber | 0.3 | Reviewing interrogatories and summary judgment motion revisions | \$145 | \$43.50 |
| 3/3/2021 | Timur Akman-Duffy | 0.6 | Adding standard of review to summary judgment motion draft | \$145 | \$87.00 |
| 3/4/2021 | Roman Leal | 0.5 | Revising statement of material facts | \$145 | \$72.50 |
| 3/4/2021 | Samuel Aber | 0.4 | Reviewing rule 56B statement | \$145 | \$58.00 |
| 3/4/2021 | Samuel Aber | 1.6 | Revising summary judgment motion and drafting interrogatories | \$145 | \$232.00 |
| 3/5/2021 | Roman Leal | 0.8 | Drafting interrogatories | \$145 | \$116.00 |
| 3/10/2021 | Samuel Aber | 1.5 | Revising interrogatories | \$145 | \$217.50 |
| 3/16/2021 | Samuel Aber | 2.1 | Revising interrogatories and examining relevant local court rules | \$145 | \$304.50 |
| 3/16/2021 | Samuel Aber | 0.6 | Finalizing draft of interrogatories/document requests and circulating to co-counsel | \$145 | \$87.00 |
| 3/18/2021 | Roman Leal | 0.6 | Revise statement of facts | \$145 | \$87.00 |
| 3/26/2021 | Samuel Aber | 1.2 | Revising interrogatories | \$145 | \$174.00 |
| 3/29/2021 | Samuel Aber | 2.2 | Review and revise and finalize discovery requests | \$145 | \$319.00 |
| 4/9/2021 | Roman Leal | 1.5 | Creating templates for responding to discovery requests | \$145 | \$217.50 |
| 4/11/2021 | Roman Leal | 0.6 | Draft objections to discovery templates | \$145 | \$87.00 |
| 4/11/2021 | Timur Akman-Duffy | 1.0 | Draft objections to discovery requests | \$145 | \$145.00 |
| 4/14/2021 | Roman Leal | 1.4 | Updating affidavits based on Rule 56 Statement and suggesting further questions for discovery | \$145 | \$203.00 |
| 4/14/2021 | Timur Akman-Duffy | 1.0 | Drafting discovery response templates | \$145 | \$145.00 |
| 4/27/2021 | Samuel Aber | 0.3 | Review discovery responses | \$145 | \$43.50 |

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|------------|------------------|--------------|--|-------|--------------------|
| 4/28/2021 | Samuel Aber | 2.1 | Finalizing discovery responses | \$145 | \$304.50 |
| | | 294.8 | TOTAL HOURS, MFIA INTERNS | | \$42,746.00 |
| 10/22/2020 | Michael Linhorst | 2.3 | Review and revise draft of motion for summary judgment | \$350 | \$805.00 |
| 11/4/2020 | Michael Linhorst | 1.7 | Review and revise draft of motion for summary judgment | \$350 | \$595.00 |
| 2/16/2021 | Michael Linhorst | 2.0 | Review and revise draft of motion for summary judgment | \$350 | \$700.00 |
| 3/10/2021 | Michael Linhorst | 1.8 | Review and revise interrogatories | \$350 | \$630.00 |
| 3/17/2021 | Michael Linhorst | 0.9 | Review interrogatories | \$350 | \$315.00 |
| 4/8/2021 | Michael Linhorst | 0.8 | Creating discovery response spreadsheet | \$350 | \$280.00 |
| 5/13/2021 | Michael Linhorst | 1.6 | Review discovery and incorporate in draft motion for summary judgment. | \$350 | \$560.00 |
| 5/17/2021 | Michael Linhorst | 4.2 | Review and revise draft summary judgment motion | \$350 | \$1,470.00 |
| 5/18/2021 | Michael Linhorst | 3.1 | Confer with third party re: potential affidavit for inclusion in summary judgment. | \$350 | \$1,085.00 |
| 5/18/2021 | Michael Linhorst | 0.3 | Confer with third party re affidavit to be filed with motion for summary judgment | \$350 | \$105.00 |
| 5/25/2021 | Michael Linhorst | 0.5 | Review and revise affidavits | \$350 | \$175.00 |
| 5/26/2021 | Michael Linhorst | 2.0 | Review and revise affidavits | \$350 | \$700.00 |
| 5/27/2021 | Michael Linhorst | 2.0 | Review and revise affidavits; email correspondence re same | \$350 | \$700.00 |
| 6/2/2021 | Michael Linhorst | 1.6 | Review and revise third-party affidavit | \$350 | \$560.00 |
| 6/3/2021 | Michael Linhorst | 0.6 | Review and revise third-party affidavit | \$350 | \$210.00 |
| 6/14/2021 | Michael Linhorst | 0.4 | Incorporate co-counsel edits into motion for summary judgment draft | \$350 | \$140.00 |
| 6/15/2021 | Michael Linhorst | 2.4 | Revise motion for summary judgment draft | \$350 | \$840.00 |
| 6/16/2021 | Michael Linhorst | 3.0 | Review draft of statement of facts | \$350 | \$1,050.00 |
| 6/17/2021 | Michael Linhorst | 1.0 | Confer with co-counsel re drafts | \$350 | \$350.00 |
| 6/18/2021 | Michael Linhorst | 1.0 | Review and revise draft motion for summary judgment | \$350 | \$350.00 |
| 6/20/2021 | Michael Linhorst | 3.5 | Exchange emails with co-counsel re affidavits and statement of facts | \$350 | \$1,225.00 |
| 6/22/2021 | Michael Linhorst | 0.9 | Review and revise motion for summary judgment draft | \$350 | \$315.00 |
| 6/24/2021 | Michael Linhorst | 1.0 | Review and revise attorney declaration | \$350 | \$350.00 |
| 7/1/2021 | Michael Linhorst | 0.7 | Revise motion for summary judgment draft | \$350 | \$245.00 |
| 7/2/2021 | Michael Linhorst | 2.0 | Review and revise affidavits | \$350 | \$700.00 |
| 7/2/2021 | Michael Linhorst | 0.8 | Confer with co-counsel re brief | \$350 | \$280.00 |
| 7/6/2021 | Michael Linhorst | 0.6 | Review and revise brief | \$350 | \$210.00 |
| 7/6/2021 | Michael Linhorst | 1.5 | Review and revise brief | \$350 | \$525.00 |
| 7/8/2021 | Michael Linhorst | 4.0 | Prepare brief and additional materials for filing | \$350 | \$1,400.00 |
| 7/9/2021 | Michael Linhorst | 2.1 | Review defendants' motion for summary judgment | \$350 | \$735.00 |
| 7/12/2021 | Michael Linhorst | 1.5 | Confer with co-counsel re defendants' motion for summary judgment | \$350 | \$525.00 |
| 7/13/2021 | Michael Linhorst | 1.0 | Legal research for opposition to defendants' motion | \$350 | \$350.00 |
| 7/16/2021 | Michael Linhorst | 2.3 | Draft outline of opposition brief; email with co-counsel re same | \$350 | \$805.00 |
| 7/19/2021 | Michael Linhorst | 3.0 | Draft opposition to defendants' motion for summary judgment | \$350 | \$1,050.00 |
| 7/22/2021 | Michael Linhorst | 2.1 | Draft opposition to defendants' motion for summary judgment | \$350 | \$735.00 |

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| 7/26/2021 | Michael Linhorst | 2.9 | Legal research for opposition to defendants' motion for summary judgment | \$350 | \$1,015.00 |
| 7/27/2021 | Michael Linhorst | 1.3 | Draft opposition to defendants' motion for summary judgment | \$350 | \$455.00 |
| 7/28/2021 | Michael Linhorst | 3.0 | Review and revise opposition | \$350 | \$1,050.00 |
| 7/29/2021 | Michael Linhorst | 2.5 | Review and revise opposition | \$350 | \$875.00 |
| 8/3/2021 | Michael Linhorst | 1.1 | Email with co-counsel re opposition brief | \$350 | \$385.00 |
| 8/4/2021 | Michael Linhorst | 0.8 | Review and revise opposition | \$350 | \$280.00 |
| 8/5/2021 | Michael Linhorst | 2.0 | Prepare opposition brief for filing | \$350 | \$700.00 |
| 8/6/2021 | Michael Linhorst | 0.5 | Review defendants' opposition brief | \$350 | \$175.00 |
| 8/10/2021 | Michael Linhorst | 1.4 | Draft outline for reply brief | \$350 | \$490.00 |
| 8/11/2021 | Michael Linhorst | 1.2 | Email with co-counsel re reply brief | \$350 | \$420.00 |
| 8/14/2021 | Michael Linhorst | 1.8 | Draft reply brief | \$350 | \$630.00 |
| 8/17/2021 | Michael Linhorst | 1.2 | Draft reply brief | \$350 | \$420.00 |
| 8/18/2021 | Michael Linhorst | 4.3 | Review co-counsel edits to reply brief | \$350 | \$1,505.00 |
| 8/19/2021 | Michael Linhorst | 1.8 | Review and revise reply brief | \$350 | \$630.00 |
| 8/20/2021 | Michael Linhorst | 2.9 | Review and revise reply brief | \$350 | \$1,015.00 |
| 8/22/2021 | Michael Linhorst | 2.0 | Prepare reply brief for filing | \$350 | \$700.00 |
| 8/23/2021 | Michael Linhorst | 0.4 | Legal research summarizing 5th Cir decisions related to standing (injury in fact, redressability); newsgathering rights; and content neutrality reported in 2021-22 | \$350 | \$140.00 |
| | | 91.3 | <u>TOTAL HOURS, LINHORST</u> | | <u>\$31,955.00</u> |
| 11/10/2019 | David Schulz | 3.1 | Review and revise memorandum in opposition to motion to dismiss. | \$625 | \$1,937.50 |
| 11/29/2019 | David Schulz | 3.4 | Review and revise opposition to motion to dismiss | \$625 | \$2,125.00 |
| 12/2/2019 | David Schulz | 1.8 | Final revisions to motion to dismiss | \$625 | \$1,125.00 |
| 12/28/2019 | David Schulz | 0.8 | Review research on Ex Parte Young for reply memorandum | \$625 | \$500.00 |
| 1/19/2021 | David Schulz | 1.1 | Conference call with co-counsel re strategy | \$625 | \$687.50 |
| 4/23/2021 | David Schulz | 1.7 | Review and revise discovery responses | \$625 | \$1,062.50 |
| 6/15/2021 | David Schulz | 1.7 | Review and revise motion for summary judgment memorandum | \$625 | \$1,062.50 |
| 6/18/2021 | David Schulz | 2.6 | Review motion for summary judgment papers and confer with co-counsel | \$625 | \$1,625.00 |
| 7/1/2021 | David Schulz | 3.7 | Review and revise SJ memo; review final declarations | \$625 | \$2,312.50 |
| 7/13/2021 | David Schulz | 1.2 | Outline issues for answering brief; confer with co-counsel | \$625 | \$750.00 |
| 8/16/2021 | David Schulz | 1.9 | Review and revise reply brief | \$625 | \$1,187.50 |
| | | 23.0 | <u>TOTAL HOURS: SCHULZ</u> | | <u>\$14,375.00</u> |
| 8/9/2019 | Jim Hemphill | 0.5 | Group conference call regarding strategy and logistical issues; | \$575 | \$287.50 |
| 8/22/2019 | Jim Hemphill | 1.1 | Review draft complaint and co-counsel agreement and comments on same; | \$575 | \$632.50 |
| 9/10/2019 | Jim Hemphill | 1.4 | Prepare for and participate in team conference call; | \$575 | \$805.00 |
| 9/17/2019 | Jim Hemphill | 0.5 | Participate in team conference call; | \$575 | \$287.50 |
| 9/24/2019 | Jim Hemphill | 0.1 | Participate in conference call; | \$575 | \$57.50 |

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| 9/25/2019 | Jim Hemphill | 1.6 | Review final draft of complaint and work on revisions to formatting and related issues; | \$575 | \$920.00 |
| 9/26/2019 | Jim Hemphill | 0.9 | Finalize complaint and coordinate filing; | \$575 | \$517.50 |
| 10/8/2019 | Jim Hemphill | 0.6 | Participate in team conference call; | \$575 | \$345.00 |
| 10/21/2019 | Jim Hemphill | 1.6 | Communications with defendants' counsel regarding scheduling and related matters; Emails with team regarding same; First brief review of material regarding potential motion to dismiss issues; | \$575 | \$920.00 |
| 10/22/2019 | Jim Hemphill | 1.7 | Prepare for and participate in team conference call; | \$575 | \$977.50 |
| 11/5/2019 | Jim Hemphill | 0.7 | Brief initial review of defendants' motion to dismiss; | \$575 | \$402.50 |
| 11/6/2019 | Jim Hemphill | 0.6 | Review motion to dismiss and notes on same; | \$575 | \$345.00 |
| 11/7/2019 | Jim Hemphill | 1.9 | Detailed review of, and notes on, dismissal motion, and prepare and participate in team conference call to discuss strategy to respond to same; | \$575 | \$1,092.50 |
| 11/13/2019 | Jim Hemphill | 0.9 | Communicate with opposing counsel regarding motion for extension of time for filing opposition to motion to dismiss, and draft and prepare same for filing; | \$575 | \$517.50 |
| 11/14/2019 | Jim Hemphill | 0.2 | Emails regarding interest in case by potential intervenors; | \$575 | \$115.00 |
| 11/19/2019 | Jim Hemphill | 1.7 | Prepare for and participate in team conference call; | \$575 | \$977.50 |
| 11/25/2019 | Jim Hemphill | 7.5 | Work on edits/suggestions to opposition to motion to dismiss; | \$575 | \$4,312.50 |
| 11/26/2019 | Jim Hemphill | 3.5 | Work on edits/suggestions to draft motion to dismiss and transmit to team; | \$575 | \$2,012.50 |
| 12/2/2019 | Jim Hemphill | 1.1 | Review and comment on latest draft of response to motion to dismiss; | \$575 | \$632.50 |
| 12/3/2019 | Jim Hemphill | 2.1 | Draft and file motion for leave to exceed page limits; Finalize and file response to motion to dismiss; | \$575 | \$1,207.50 |
| 12/30/2019 | Jim Hemphill | 5.1 | Work on researching and completing first draft of surreply on Ex parte Young issues; Transmit draft to team for further drafting and review; Consult with opposing counsel on motion for leave to file; | \$575 | \$2,932.50 |
| 12/31/2019 | Jim Hemphill | 1.0 | Work on revisions to surreply in opposition to motion to dismiss; | \$575 | \$575.00 |
| 1/2/2020 | Jim Hemphill | 2.3 | Revisions to surreply and motion for leave to file same and prepare same for filing; | \$575 | \$1,322.50 |
| 1/10/2020 | Jim Hemphill | 1.8 | Review court order regarding filing of proposed scheduling order; Telephone conference with C. Hilton from AG's office regarding same; Email to team regarding same; Review files to determine whether firm has filed contingentscheduling orders under similar circumstances in Judge Pitman's court; | \$575 | \$1,035.00 |
| 1/16/2020 | Jim Hemphill | 1.3 | Revise and file proposed docket control order and emails with opposing counsel and team regarding same; | \$575 | \$747.50 |
| 1/27/2020 | Jim Hemphill | 0.4 | Communications among counsel regarding scheduling and related issues; | \$575 | \$230.00 |
| 1/29/2020 | Jim Hemphill | 0.4 | Conference call with team regarding upcoming hearing on scheduling; | \$575 | \$230.00 |
| 1/30/2020 | Jim Hemphill | 0.8 | Work on scheduling issues and preparation for upcoming phone hearing on trial date and related matters; | \$575 | \$460.00 |
| 1/31/2020 | Jim Hemphill | 0.2 | Emails regarding upcoming telephone conference with Court; | \$575 | \$115.00 |
| 2/3/2020 | Jim Hemphill | 0.8 | Prepare for and participate in phone conference with Court for trial scheduling and related matters; Follow up on same; | \$575 | \$460.00 |

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| 2/11/2020 | Jim Hemphill | 0.7 | Participate in team conference call; | \$575 | \$402.50 |
| 2/19/2020 | Jim Hemphill | 0.9 | Office conference with M. Powers regarding potential notice of supplemental authority; Work on revisions to same; Review rules regarding law student appearances in court; | \$575 | \$517.50 |
| 2/20/2020 | Jim Hemphill | 0.1 | Email to team regarding filing of supplemental authority; | \$575 | \$57.50 |
| 2/24/2020 | Jim Hemphill | 0.5 | Telephone conference with J. Burson & M. Powers regarding law student bar cards and related issues; | \$575 | \$287.50 |
| 2/27/2020 | Jim Hemphill | 0.2 | Finalize notice of supplemental authority for filing; | \$575 | \$115.00 |
| 3/6/2020 | Jim Hemphill | 0.9 | Review state court case in which validity of drone restrictions is at issue, and emails with team regarding same; | \$575 | \$517.50 |
| 3/9/2020 | Jim Hemphill | 0.5 | Emails regarding Texas state court case in which drone restrictions are challenged; | \$575 | \$287.50 |
| 3/10/2020 | Jim Hemphill | 1.0 | Review pleadings in Texas state case challenging drone restrictions and emails with team regarding same; | \$575 | \$575.00 |
| 9/10/2020 | Jim Hemphill | 0.6 | Videoconference with team to meet new members and discuss case status and options for going-forward strategies; | \$575 | \$345.00 |
| 11/4/2020 | Jim Hemphill | 1.0 | Review draft motion for summary judgment to prepare for videoconference with team; | \$575 | \$575.00 |
| 11/6/2020 | Jim Hemphill | 1.5 | Review draft motion for summary judgment; Prepare for and participate in team videoconference regarding settlement offer and motion for summary judgment issues; | \$575 | \$862.50 |
| 11/13/2020 | Jim Hemphill | 3.1 | Communicate with opposing counsel regarding settlement offer issues; | \$575 | \$1,782.50 |
| 11/19/2020 | Jim Hemphill | 1.0 | Research on recent Fifth Circuit case on First Amendment standing and related issues; | \$575 | \$575.00 |
| 11/20/2020 | Jim Hemphill | 2.3 | Work on draft ADR report and related issues; Emails with team and opposing counsel regarding same; | \$575 | \$1,322.50 |
| 11/30/2020 | Jim Hemphill | 2.1 | Videoconference with team to discuss various matters; Revise joint ADR report and prepare same for filing; | \$575 | \$1,207.50 |
| 12/4/2020 | Jim Hemphill | 1.0 | Review of order on motion to dismiss and emails with team regarding same; | \$575 | \$575.00 |
| 12/14/2020 | Jim Hemphill | 1.0 | Prepare for and participate in team meeting; | \$575 | \$575.00 |
| 1/15/2021 | Jim Hemphill | 0.7 | Prepare for and participate in Zoom conference with team members and REDACTED | \$575 | \$402.50 |
| 1/19/2021 | Jim Hemphill | 0.5 | Attention to defendants' answers; | \$575 | \$287.50 |
| 1/25/2021 | Jim Hemphill | 0.6 | Videoconference with team and representatives from Reporters Committee for Free Press; | \$575 | \$345.00 |
| 1/28/2021 | Jim Hemphill | 0.4 | Emails with opposing counsel regarding substitution of new head of DPS and related issues; | \$575 | \$230.00 |
| 1/29/2021 | Jim Hemphill | 0.3 | Emails regarding substitution of new Highway Patrol chief and possible Rule 26(f) conference; | \$575 | \$172.50 |
| 2/4/2021 | Jim Hemphill | 5.0 | Emails regarding Rule 26 meeting issues; | \$575 | \$2,875.00 |
| 2/5/2021 | Jim Hemphill | 1.9 | Work on issues regarding upcoming Rule 26 conference and potential summary judgment; | \$575 | \$1,092.50 |
| 2/8/2021 | Jim Hemphill | 0.2 | Prepare for and participate in rule 26 meeting; | \$575 | \$115.00 |
| | | | Follow up on Rule 26 issues; | \$575 | |

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| 2/11/2021 | Jim Hemphill | 1.0 | Brief review of material in case alleging violation of drone surveillance statutes and emails with team regarding same; | \$575 | \$575.00 |
| 2/12/2021 | Jim Hemphill | 0.1 | Brief review of emails regarding upcoming team meeting; | \$575 | \$57.50 |
| 2/14/2021 | Jim Hemphill | 2.0 | Draft Rule 26(f) report and initial disclosures and transmit to team for review; | \$575 | \$1,150.00 |
| 2/16/2021 | Jim Hemphill | 2.0 | Prepare for and participate in team videoconference to discuss discovery, motion for summary judgment strategy, and related issues; Emails with client representatives regarding discovery issues; | \$575 | \$1,150.00 |
| 2/19/2021 | Jim Hemphill | 0.9 | Work on Rule 26 report and initial disclosures; | \$575 | \$517.50 |
| 2/22/2021 | Jim Hemphill | 0.9 | Work on revisions to initial disclosures and transmit to team for review and comment; | \$575 | \$517.50 |
| 2/24/2021 | Jim Hemphill | 2.1 | Revise initial disclosures and prepare same for service; Emails regarding amici and related issues; | \$575 | \$1,207.50 |
| 3/2/2021 | Jim Hemphill | 2.4 | Attention to discovery and scheduling issues; Prepare for and attend team meeting; | \$575 | \$1,380.00 |
| 3/19/2021 | Jim Hemphill | 1.9 | Work on discovery issues; Telephone conference with C. Hilton of Texas Attorney General's office on discovery matters; Email memo to team regarding same; | \$575 | \$1,092.50 |
| 3/20/2021 | Jim Hemphill | 2.1 | Work on revisions to draft discovery requests; | \$575 | \$1,207.50 |
| 3/21/2021 | Jim Hemphill | 1.1 | Continue working on revisions to draft discovery requests; | \$575 | \$632.50 |
| 3/22/2021 | Jim Hemphill | 0.6 | Work on draft discovery issues and emails regarding same; | \$575 | \$345.00 |
| 4/2/2021 | Jim Hemphill | 0.3 | Attention to discovery issues; | \$575 | \$172.50 |
| 4/5/2021 | Jim Hemphill | 1.2 | Videoconference on discovery issues; | \$575 | \$690.00 |
| 4/7/2021 | Jim Hemphill | 1.7 | Work on discovery issues; | \$575 | \$977.50 |
| 4/9/2021 | Jim Hemphill | 2.0 | Work on draft discovery responses for NPPA and transmit to team for review; | \$575 | \$1,150.00 |
| 4/13/2021 | Jim Hemphill | 2.5 | Review template for draft discovery responses; Attend videoconference with team to discuss progress on discovery and responses to same; | \$575 | \$1,437.50 |
| 4/20/2021 | Jim Hemphill | 0.6 | Work on draft discovery responses; | \$575 | \$345.00 |
| 4/21/2021 | Jim Hemphill | 4.2 | Draft objections and responses to discovery to TPA and Joe Pappalardo; Memos to each on REDACTED; Review REDACTED incorporate into draft discovery objections and responses; | \$575 | \$2,415.00 |
| 4/23/2021 | Jim Hemphill | 1.3 | Prepare for and meet with team to go over discovery responses and related issues; | \$575 | \$747.50 |
| 4/26/2021 | Jim Hemphill | 0.9 | Work on draft discovery objections and responses for Texas Press Association; Emails REDACTED; Revise draft discovery objections and responses for Joe Pappalardo; Transmit revised responses to team for review and comment; | \$575 | \$517.50 |
| 4/27/2021 | Jim Hemphill | 0.6 | Work on discovery responses; | \$575 | \$345.00 |
| 4/28/2021 | Jim Hemphill | 1.8 | Meet with team to review draft discovery responses and discuss revisions to same; | \$575 | \$1,035.00 |
| 4/30/2021 | Jim Hemphill | 0.9 | Revisions to discovery responses; Telephone conference with C. Hilton regarding brief extension for parties to respond to discovery; | \$575 | \$517.50 |
| 5/3/2021 | Jim Hemphill | 0.6 | Work on discovery responses; | \$575 | \$345.00 |
| 5/4/2021 | Jim Hemphill | 0.8 | Finalize discovery responses and prepare for service; | \$575 | \$460.00 |
| 5/5/2021 | Jim Hemphill | 0.1 | Brief review of discovery status; | \$575 | \$57.50 |

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|-----------|--------------|-----|---|-------|------------|
| 5/6/2021 | Jim Hemphill | 2.7 | Review defendants' discovery responses and document production; | \$575 | \$1,552.50 |
| 5/11/2021 | Jim Hemphill | 1.9 | Work on document review for production; | \$575 | \$1,092.50 |
| 5/12/2021 | Jim Hemphill | 1.4 | Work on document review for production to defendants; | \$575 | \$805.00 |
| 5/13/2021 | Jim Hemphill | 2.3 | Work on discovery issues and production documents; Videoconference with team to discuss defendants' discovery responses and possible follow-up on same; | \$575 | \$1,322.50 |
| 6/1/2021 | Jim Hemphill | 4.3 | Work on motion for summary judgment issues; | \$575 | \$2,472.50 |
| 6/2/2021 | Jim Hemphill | 4.4 | Work on motion for summary judgment and declaration issues; Emails with REDACTED | \$575 | \$2,530.00 |
| 6/4/2021 | Jim Hemphill | 1.1 | Work on REDACTED motion for summary judgment; | \$575 | \$632.50 |
| 6/7/2021 | Jim Hemphill | 7.1 | Work on comments to draft motion for summary judgment and fact statement; Work on REDACTED | \$575 | \$4,082.50 |
| 6/8/2021 | Jim Hemphill | 3.7 | Continue work on comments to draft motion for summary judgment and statement of facts and send to team for review; Work on REDACTED | \$575 | \$2,127.50 |
| 6/9/2021 | Jim Hemphill | 0.3 | Revise REDACTED; Emails REDACTED | \$575 | \$172.50 |
| 6/11/2021 | Jim Hemphill | 0.2 | Emails regarding draft motion for summary judgment and accompanying affidavits; | \$575 | \$115.00 |
| 6/14/2021 | Jim Hemphill | 1.2 | Work on REDACTED draft motion for summary judgment brief; | \$575 | \$690.00 |
| 6/16/2021 | Jim Hemphill | 1.0 | Work on comments/suggestions for draft motion for summary judgment REDACTED | \$575 | \$575.00 |
| 6/18/2021 | Jim Hemphill | 4.3 | Work on proposed revisions to draft motion for summary judgment and transmit to team for review and incorporation; Work on REDACTED | \$575 | \$2,472.50 |
| 6/22/2021 | Jim Hemphill | 1.2 | Work on REDACTED summary judgment issues; | \$575 | \$690.00 |
| 6/23/2021 | Jim Hemphill | 0.6 | Emails regarding draft motion for summary judgment and extension of deadline for filing same; | \$575 | \$345.00 |
| 7/6/2021 | Jim Hemphill | 0.7 | Work on REDACTED summary judgment and emails regarding same; | \$575 | \$402.50 |
| 7/7/2021 | Jim Hemphill | 1.2 | Work on REDACTED motion for summary judgment; Send sample exhibit indexes to M. Linhorst for preparation of motion for summary judgment exhibits; | \$575 | \$690.00 |
| 7/8/2021 | Jim Hemphill | 3.4 | Work on revisions to motion for summary judgment and related matters; | \$575 | \$1,955.00 |
| 7/9/2021 | Jim Hemphill | 3.9 | Review and propose revisions to motion for summary judgment and prepare same for filing; Review of and notes on motion to intervene; Research, draft, and prepare for filing opposition to motion to intervene; Telephone conference with counsel in Attorney General's office regarding document production; | \$575 | \$2,242.50 |
| 7/13/2021 | Jim Hemphill | 1.0 | Videoconference to discuss strategy for response to motion for summary judgment; | \$575 | \$575.00 |
| 7/14/2021 | Jim Hemphill | 0.1 | Communications regarding logistics for response to Defendants' motion for summary judgment; | \$575 | \$57.50 |
| 7/16/2021 | Jim Hemphill | 1.6 | Notes on Defendants' motion for summary judgment to prepare for response to same; | \$575 | \$920.00 |
| 7/19/2021 | Jim Hemphill | 5.6 | Review Defendants' motion for summary judgment and case law cited therein, and notes on same to prepare for conference on response; Review outline of response and notes on same; Participate in videoconference with team regarding same; | \$575 | \$3,220.00 |
| 7/20/2021 | Jim Hemphill | 0.1 | Emails regarding scheduling for videoconference on response to motion for summary judgment; | \$575 | \$57.50 |

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|------------|--------------|---------------------|---|-------|----------------------------|
| 7/30/2021 | Jim Hemphill | 1.5 | Brief initial overview of draft response in support of motion for summary judgment; | \$575 | \$862.50 |
| 8/4/2021 | Jim Hemphill | 3.4 | Review and comment/suggest edits on response to motion for summary judgment; | \$575 | \$1,955.00 |
| 8/19/2021 | Jim Hemphill | 1.4 | Review of latest draft of reply in support of motion for summary judgment and comments to Mike Linhorst regarding same; | \$575 | \$805.00 |
| 8/23/2021 | Jim Hemphill | 0.3 | Final review of reply in support of motion for summary judgment and prepare same for filing; | \$575 | \$172.50 |
| 10/12/2021 | Jim Hemphill | 1.4 | Work on trial setting issues; | \$575 | \$805.00 |
| 3/7/2022 | Jim Hemphill | 0.3 | Review citation correction letter draft and reformat into pleading and distribute to team for review; | \$575 | \$172.50 |
| 3/29/2022 | Jim Hemphill | 0.4 | Review opinion granting summary judgment in favor of clients and emails with team regarding same; | \$575 | \$230.00 |
| 4/6/2022 | Jim Hemphill | 0.8 | Videoconference with team regarding entry of judgment, attorneys' fee application, and related issues; | \$575 | \$460.00 |
| 4/12/2022 | Jim Hemphill | 0.7 | Work on attorneys' fee issues; | \$575 | \$402.50 |
| | | <u>174.4</u> | <u>TOTAL HOURS: HEMPHILL</u> | | <u>\$100,280.00</u> |